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CRL OP No. 12335 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 12335 of 2026

1. Chinnakulandhai
2. Dinesh

..Petitioners

Vs

The State Rep by The Inspector of Police
Kalasapakkam Police Station,
Tiruvannamalai District.
(Crime No.105 of 2026)

..Respondent

Prayer: Criminal Original Petition filed under Section 483 of B.N.S.S., praying to enlarge the petitioners on bail as against the case pending on the file of the Respondent police in Crime No.105 of 2026.

For Petitioners:

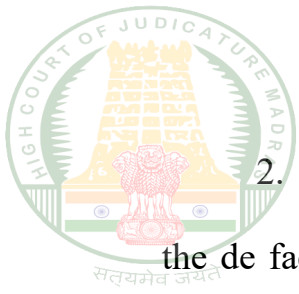
Mr.R.Thirumoorthy

For Respondent:

Mr.S.Yogaraja Sekar,
Government Advocate (Criminal Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 21.04.2026 for the alleged offence under Sections 296(b), 118(1) and 109 of BNS @ Sections 296(b), 118(1) and 103(1) of BNS in Crime No.105 of 2026 on the file of the respondent police, seek bail.



2. The case of the prosecution is that the petitioners abused the son of the de facto complainant and assaulted him with knife and wooden log on his head and committed murder. Hence, the case.

3. The learned counsel for the petitioners submitted that the First Information Report came to be registered on 21.04.2026 and the petitioners were remanded to judicial custody on the very same day based on suspicion. He further submitted that there were three accused in the case and that the deceased was the son-in-law of the first petitioner and the brother-in-law of the second petitioner. The daughter of the first petitioner is the wife of the deceased. He also submitted that the prosecution case proceeds on the allegation that the first petitioner's daughter suspected her husband and therefore, these petitioners had done away with the deceased.

4. At this juncture, the learned Government Advocate (Criminal Side) strongly opposed the grant of bail to the petitioners on the ground that A1 attacked the deceased with a knife and A2 attacked the deceased with a reaper. Though the mother-in-law of the deceased was also arrayed as A3, she was arrested by the respondent police.

5. Though there is a specific overt act attributed to the second petitioner in respect of the attack on the deceased with a knife and as against the



first petitioner, it appears that he used a reaper, he is aged about 63 years.

Hence, considering the totality of the circumstances and the overt acts attributed to the individual accused, this Court is of the firm opinion that the second petitioner is not entitled to bail at this juncture. However, considering the age of the first petitioner, the nature of the allegations and the overt act attributed to him, this Court is inclined to grant bail to the first petitioner, subject to certain conditions.

6. Accordingly, **the first petitioner is ordered** to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned District Munsif-cum-Judicial Magistrate, Kalasapakkam**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the first petitioner shall report before the respondent-police, daily at 10.30 a.m., for a period of 30 days;

[c] the first petitioner shall not abscond either during investigation or trial;



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[d] the first petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the first petitioner in accordance with law as if the aforementioned conditions have been imposed and the first petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

7. In the result, this Criminal Original Petition is allowed insofar as the first Petitioner is concerned and dismissed insofar as the second Petitioner is concerned.

02-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VKR

To

1.The District Munsif-cum-Judicial Magistrate,
Kalasapakkam.

2.The Inspector of Police
Kalasapakkam Police Station,
Tiruvannamalai District.



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3. The Superintendent of Prisons,
Central Prison, Vellore.

4. The Public Prosecutor,
High Court of Madras.

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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C.KUMARAPPAN, J.

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