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CrI.O.P.No.12360 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.05.2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CrI.O.P.No.12360 of 2026

Hariharan

S/o. Muthuraman

... Petitioner/A6

Vs.

The State represented by,
The Inspector of Police,
Erode GH Police Station,
Erode District.

(Crime No.15 of 2026)

... Respondent /Complainant

PRAYER:- Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail to the petitioner in Crime No.15 of 2026 pending on the file of the respondent-police.

For Petitioner : Mr.Radha Pandiyan

For Respondent : Mr.L.Baskaran
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioner on 11.05.2026 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.



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2. The petitioner/A6, was arrested and remanded to judicial custody on 27.03.2026 for the alleged offences punishable under Sections 103 of BNS, 2023, later altered to under Sections 61(2), 49, 126(2), 103(1) and 238 of BNS, 2023, in Crime No.15 of 2026 on the file of the respondent-police.

3. The case of the prosecution is that on 22.03.2026, due to some previous enmity, the accused conspired together and murdered the victim/deceased by stabbing him with a knife. It is further alleged that the accused destructed the evidence. Based on this, the present complaint was lodged and the aforesaid case was registered.

4. Mr.Radha Pandiyan, learned counsel for the petitioner, submits that the petitioner is innocent and has not committed any offence as alleged by the prosecution. He further submits that even as per the prosecution, the petitioner was an informer and has not inflicted any injury on the victim/deceased. He also submits that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. He, therefore, prays for the grant of bail to the petitioner.



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5. *Per contra*, Mr.L.Baskaran, learned Government Advocate (Criminal Side) appearing for the respondent-police submits that there are six accused in this case and the petitioner is arrayed as A6. He also submits that the accused conspired together and murdered the victim/deceased over a financial dispute. He further submits that the investigation in this case is still pending, two of the accused are detained under TN.Act 14, 1982 and the petitioner herein acted as an informer to the other accused. Hence, he opposes the grant of bail to the petitioner and accordingly, he prays for the dismissal of the petition.

6. Heard on both sides. This Court has perused all the materials available on record.

7. The petitioner was arrested on 27.03.2026. Considering the facts and cumulative circumstances of the case, the offences alleged against the petitioner and taking note of the period of incarceration, this Court is of the view that one more opportunity may be given to the petitioner to reform himself. Hence, this Court is inclined to grant bail to the petitioner, subject to the following conditions:



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(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate No.II, Erode.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate No.II, Erode shall obtain a copy of any one of their identity proofs to ensure their identity.

(iii) The petitioner shall appear and sign before the respondent-police, daily at 10.30 a.m. and 05.30 p.m., until further orders.

(iv) The petitioner shall furnish his residential address and mobile numbers to the learned Judicial Magistrate No.II, Erode.

(v) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023.

(vi) The petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(vii) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(viii) The petitioner shall also not directly or indirectly, cause any threat to the defacto complainant, victims, and witnesses.



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(ix) The petitioner shall not enter into the *de facto* complainant's house or his work place.

(x) The petitioner shall not try to contact the *de facto* complainant, victims, and witnesses either directly or through any electronic mode.

(xi) On breach of any of the aforementioned conditions, the Judicial Magistrate No.II, Erode, or Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in ***P.K. Shaji vs. State of Kerala*** [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

(R S V J)
20.05.2026

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Note:

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

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

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R.SAKTHIVEL,J

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To

1. The Judicial Magistrate No.II,
Erode,
2. The Superintendent of Prisons,
District Prison,
Gopichettypalayam.
3. The Inspector of Police,
Erode GH Police Station,
Erode District.
4. The Public Prosecutor,
Madras High Court.

Order made in
Crl.O.P.No.12360 of 2026

20.05.2026