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CRL OP No.12957 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.05.2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

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1.S.Venkatesan
S/o. Srinivasalu
Mariyamman Kovil Street.

2.Suresh
S/o Venugopal
Raja Street.

3.Rathinavelu @ Rathinavel
S/o Sambath
Raja Street.

4.Muthuvel
S/o Sambath
Raja Street.

5.Loganathan
S/o Natarajan
Rice Mill Street.

6.Sakthivel
S/o Sambath
Raja Street.

7.Simbu
S/o Kubendiran
Rice Mill Street.

8.Naveen Kumar
S/o Palani
Raja Street.

1/8



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9. Thirumalai
S/o Singaravelu
Raja Street
All are residing at Pasmarpenda Village
Aravatla Post, Pernambut Taluk
Vellore District.

... Petitioners/
Accused Nos.1,2,3,4,5,6,8,9,10

Vs.

The State Rep by
The Sub Inspector of Police,
Pernampet Police Station,
Pernambut Taluk
Vellore District.
(Crime No.132 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 petitioners in Crime No.132 of 2026 on the file of the respondent-police.

For Petitioners : Mr.D.Anandan

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

ORDER

This Criminal Original Petition has been filed by the petitioners on 12.05.2026 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023 praying to grant bail.



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2. The petitioners were arrested and remanded to judicial custody on 17.04.2026 for the alleged offences punishable under Sections 191(2), 191(3), 115(2), 326(g), 324(5) and 332(c) of BNS in Crime No.132 of 2026 on the file of the respondent police.

3. The prosecution case is that the son of the defacto complainant and another person allegedly murdered one Siyamala and were subsequently remanded to judicial custody. The petitioners, being the relatives of the deceased Siyamala, are alleged to have trespassed into the house of the defacto complainant with an intention to wreak vengeance, assaulted the defacto complainant and her daughter-in-law, and damaged household articles worth about Rs.3,00,000/-. Hence, the case.

4. Mr.D.Anandan, the learned counsel for the petitioners, submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that the petitioners have been in judicial custody since 17.04.2026. He further submits that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. He therefore prays to grant bail to the petitioners.



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5. *Per contra*, Mr.L.Baskaran, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that several other accused are absconding and that the investigation is still pending. He further contends that, if the petitioners are released on bail, there is possibility of committing similar offences in future and causing threat to the defacto complainant. Hence, he prays for the dismissal of this petition.

6. Heard on both sides. This Court has perused the records.

7. The petitioners were arrested and they have been in incarceration since 17.04.2026. The petitioners have permanent residence and therefore, there is less possibility of absconding. Considering the same and also considering the offence alleged against the petitioners and taking into account the fact that the petitioners are ready to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only), this Court is inclined to grant bail to the petitioners, however, subject to certain conditions. Accordingly, bail is granted to the petitioners subject to the following conditions:



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(i) The petitioners 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 Judicial Magistrate, Gudiyatham, Vellore District.

(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 Judicial Magistrate, Gudiyatham, Vellore District shall obtain a copy of any one of their identity proofs to ensure their identity.

(iii) The petitioners shall deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of the Crime No.132 of 2026 on the file of the respondent-police, before the Judicial Magistrate, Gudiyatham, Vellore District. In turn, the Judicial Magistrate, Gudiyatham, Vellore District shall deposit the said amount in a nationalized Bank initially for a period of one year and renew them periodically until the final order / judgment is passed in the case in Crime No.132 of 2026.

(iv) The petitioners shall appear and sign before the Judicial Magistrate, Gudiyatham, Vellore District on all working days at 10.30 a.m. until further orders.

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

(vi) The petitioners shall not commit an offence similar to the



offence of which they are accused, or suspected, of the commission of which they are suspected.

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

(ix) The petitioners shall not try to contact the defacto complainant either directly or through any electronic mode.

(x) The petitioners shall not enter into the defacto complainant's house or his work place.

(xi) The petitioners shall furnish his residence address and mobile number to the Judicial Magistrate, Gudiyatham, Vellore District.

(xii) On breach of any of the aforementioned conditions, the Judicial Magistrate, Gudiyatham, Vellore District or Trial Court is entitled to pass appropriate orders against the petitioners 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].



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

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.

To

1.The Judicial Magistrate,
Gudiyatham, Vellore District.

2.The Superintendent Prison,
Gudiyatham Sub Jail,
Vellore District.

3.The Sub Inspector of Police,
Pernampet Police Station,
Pernambut Taluk
Vellore District.

4. The Public Prosecutor,
Madras High Court,
Madras.



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R. SAKTHIVEL, J

dpa

Order made in
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