



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-06-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 13866 of 2026

Sabarinathan

..Petitioner

Vs

The State Represented by,
The Inspector of Police,
Kalavai Police Station,
Ranipet District.
(Crime No. 74 of 2026)

..Respondent

Prayer: Criminal Original Petition filed under Section 483 of B.N.S.S., 2023, to enlarge the petitioner on bail in Crime No.74 of 2026 on the file of the respondent police.

For Petitioner: Mr. B. Mohan

For Respondent: Mr. N. Palanivel,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.04.2026 for the alleged offence under Section 296(b), 191(2), 191(3), 103(1) and 109 of Bharatiya Nyaya Sanhita 2023 in Crime No.74 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that on 12.04.2026, the de facto complainant received a message over phone that there was a wordy quarrel between his sons and other unknown persons. It is alleged that unknown persons assaulted the de facto complainant's sons with knife and weapons. Due to which, the son of de facto complainant died. Hence, the case.

3. The learned counsel for the petitioner submitted that there are about 10 accused in this case. The petitioner herein has been incarcerated since 13.04.2026. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He further submitted that except A3 namely Rudreshwaran, other accused petitioners namely, Sabarinathan and Arun Kumar were remanded under judicial custody only based upon the confession made by the 1st Accused. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant bail to the petitioner.

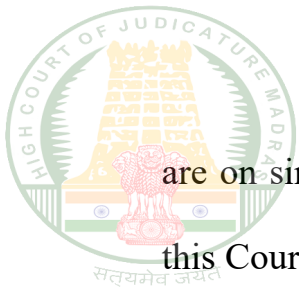
4. The learned Government Advocate (Criminal Side) appearing for the respondent Police reiterated the prosecution's case and, upon instructions, submitted that this petitioner was arrested based upon the further statement given by the deceased's father.



5. At this juncture, the learned counsel for the petitioner invited the attention of this Court to the order passed in Crl.OP.No.12073 of 2026 in respect of one Mahesh who has been arrayed as A9 and one Sundaresan in Crl.OP.No.13067 of 2026 who has been arrayed as A4 were enlarged on bail on 13.05.2026 and 14.05.2026 respectively. He further submitted that as rightly contended by the learned Government Advocate (Crl.Side), Sabarinathan and Arun Kumar are not named accused.

6. I have considered the submissions made on both sides and also perused the records available.

7. Considering the facts and circumstances of the case; taking note of the submission made by the learned Government Advocate (Crl.Side); Considering the peculiar facts of this case that some of the accused were not named accused, this Court has already enlarged on bail in respect of other accused in Crl.OP.Nos.12073 and 13067 of 2026 respectively. this Court of the view that this petitioner is also entitled to have parity as that of the co-accused as this petitioner is not a named accused. Though, the learned Government Advocate (Crl.side) submitted that the petitioners are arrayed as accused based on the further statement of the deceased's father, the fact remains that co-accused who



are on similar footing were already enlarged on bail. Hence, by giving parity, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

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8. Accordingly, the 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, Arcot**, 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 petitioner shall report before the respondent police daily at 10.30 until further orders;

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

[d] the 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 petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned



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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.

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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.

To

- 1.The District Munsif Cum Judicial Magistrate,
Arcot.
- 2.The Inspector of Police,
Kalavai Police Station,
Ranipet District.
3. The Superintendent,
Central Prison, Vellore
- 4.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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