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Crl.O.P.No.15187 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.15187 of 2026

1. Prasanth
2. Kirubakaran
3. Naveen Kumar

... Petitioner(s)

Vs.

The State rep. by
The Inspector of Police,
Sankari Police Station,
Salem District.
Crime No.153 of 2026

... Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail concerned in Crime No.153 of 2026 pending on the file of the respondent police.

For Petitioner(s) : Mr.G.Paramasivam

For Respondent(s) : Mr.S.Yogaraja Sekar,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.04.2026 for the alleged offences under Sections 191(2), 296(b) and 109(1) @ Sections 191(2), 296(b) and 103(1) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.153 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the deceased, after consuming liquor in a bar, spat at other persons present there. When the same was questioned by the petitioners, an altercation ensued, during which the deceased sustained a head injury. He was admitted to the hospital on 10.04.2026 and subsequently died on 23.04.2026. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and have been falsely implicated in this case. He would further submit that the petitioners have been in custody since 11.04.2026 and are ready to abide by any stringent conditions that may be imposed by this Court. He further submitted that the co-accused had already been enlarged on bail and granted anticipatory bail vide orders dated 01.06.2026 and 02.06.2026 passed by this Court in Crl.O.P.No.13879 of 2026 and Crl.O.P.No.12771 of 2026 respectively. Hence, on the ground of parity, he sought for grant of bail to the petitioners herein.

4. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the grant of bail to the petitioners, reiterated the prosecution case and, on instructions, submitted that the petitioners have no criminal antecedents and that the investigation is still pending.



5. Though the learned Government Advocate (Crl. Side) submitted that the investigation is still pending, considering the totality of the circumstances, particularly the period of incarceration undergone by the petitioners, the fact that the petitioners have no criminal antecedents, and also the fact that the co-accused have already been granted bail and anticipatory bail, this Court is inclined to extend the benefit of parity to the petitioners and enlarge them on bail, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Sankari, and subject to the following conditions:

[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 petitioners shall stay at Nagercoil and report before the Inspector of Police, Kottar Police Station, Meenakshipuram, Vadiveeswaram Village, Nagercoil, Tamil Nadu – 629 002, everyday at 10.30 a.m. for a period of 30 days and thereafter as and when required for interrogation;



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

[d] the petitioners 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 take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioners released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

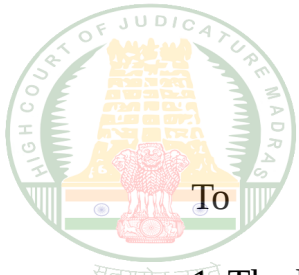
[f] if the petitioners thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

17.06.2026

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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.



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1. The learned Judicial Magistrate No.1, Sankari.
2. The Superintendent, Central Prison, Salem.
3. The Inspector of Police, Sankari Police Station, Salem District.
4. The Inspector of Police, Kottar Police Station, Meenakshipuram,
Vadiveeswaram Village, Nagercoil, Tamil Nadu – 629 002.
5. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN,J.

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