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Crl.O.P.No.15357 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.15357 of 2026

Thangapandiyan

... Petitioner(s)

Vs.

The State rep. by
The Station House Officer,
Kumaratchi Police Station,
Cuddalore District.
Crime No.161 of 2023

... Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail concerned in PRC No.8 of 2024 on the file of the Judicial Magistrate No.II, Chidambaram in Crime No.161 of 2023 pending on the file of the respondent police.

For Petitioner(s) : Mr.P.Krishnakumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.05.2026 for the alleged offences under Sections 174 of Cr.P.C and subsequently altered to Sections 341, 302, 120(B) and 109 of IPC, in Crime No.161 of 2023 on the file of the respondent police, seeks bail.

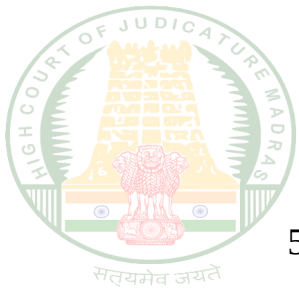


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2. It is the case of the prosecution that the petitioner had instigated the accused persons to commit the murder of the deceased. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. He would further submit that the co-accused have already been granted bail vide orders dated 13.03.2024 and 16.05.2024 passed by this Court in Crl.O.P.Nos.4406 and 12162 of 2024 respectively. Hence, he prayed for the grant of bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the grant of bail to the petitioner, reiterated the prosecution case and, on instructions, submitted that the petitioner had funded the commission of the murder from Dubai and that, despite being arrayed as an accused, he had not surrendered before the Court. It was further submitted that only upon the issuance of a Look Out Circular (LOC), the petitioner could be secured. However, he fairly submitted that the investigation has already been completed and that the final report has been taken cognizance of as P.R.C.No.8 of 2024 by the concerned Magistrate.



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5. Though the submission of the learned Government Advocate (Crl. Side) regarding the conduct of the petitioner carries considerable force, the point that arises for consideration is whether any further custodial interrogation of the petitioner is required. In the case on hand, the investigation has already been completed and the final report has been taken cognizance of by the concerned Magistrate. In such circumstances, this Court is of the view that the apprehension expressed by the prosecution regarding the flight risk of the petitioner can be adequately addressed by imposing appropriate conditions, including a direction to surrender his passport before the Trial Court. Therefore, considering the period of incarceration undergone by the petitioner, the fact that the investigation has already been completed and cognizance has been taken by the concerned Magistrate, this Court is inclined to enlarge the petitioner on bail, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on their 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 Judicial Magistrate No.II, Chidambaram, and subject to the following conditions:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship



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Crl.O.P.No.15357 c



[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 surrender his passport before the concerned Trial Court and shall not leave the country without obtaining prior permission of the Trial Court;

[c] the petitioner shall report before the respondent police everyday at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation;

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

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

[f] 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 petitioner 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]***;

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

18.06.2026

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Note:
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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 learned Judicial Magistrate No.II, Chidambaram
2. The Superintendent, Central Prison, Cuddalore.
3. The Station House Officer, Kumaratchi Police Station, Cuddalore District.
4. The Public Prosecutor, High Court of Madras



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Crl.O.P.No.15357 of 2026



C.KUMARAPPAN,J.

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18.06.2026