



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15803 of 2026

1. Sabari @ Sabarinathan
2. Akash
3. Rishinatha

..Petitioners

Vs

State Rep. by
The Inspector of Police,
Vandavasi North Police Station,
Tiruvannamalai. Crime No.18/2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.18 of 2026 pending on the file of the respondent police station, Tiruvannamalai District.

For Petitioners:

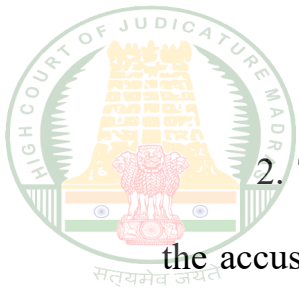
Mr.P.Muthamizh Selvakumar

For Respondent:

Mr.S.Yogaraja Sekar
Counsel for Government of Tamilnadu
(Criminal Side)

ORDER

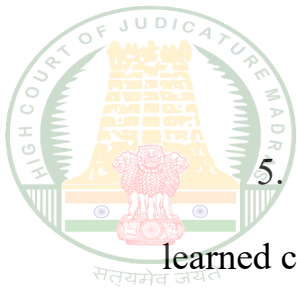
The petitioners, who were arrested and remanded to judicial custody on 26.03.2026 for the alleged offences under Sections 137(2) 126(2), 296(b), 115(2), 118(1), 109(1), 351(3) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.18 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that on 21.02.2026 at about 8.00 p.m., the accused persons allegedly wrongfully restrained and kidnapped the defacto complainant to a crematorium, abused him in filthy language, assaulted him with a wooden log and knife and threatened him with dire consequences.

3. The learned counsel appearing for the petitioners would submit that the petitioners have been falsely implicated in the present case. It is further submitted that there are contradictions in the complaint, inasmuch as the defacto complainant initially stated that unknown persons had robbed him and subsequently named the accused. The learned counsel would therefore contend that the petitioners are no way connected with the alleged occurrence. It is further submitted that though the petitioners were earlier detained under Act 14, the same was subsequently revoked. Hence, he prayed for grant of bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the first petitioner has got 12 previous cases, including NDPS cases, Arms Act cases and hurt cases. The third petitioner has got seven previous cases and the second petitioner has one previous case of NDPS.



5. I have given anxious consideration to the submissions made by the learned counsel on either side.

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6. This Court is of the view that though the learned counsel for the petitioners would submit that the detention under Act 14 was revoked, as rightly contended by the learned Government Advocate (Crl.Side), the first and third petitioners are history-sheeters and are involved in several criminal cases. Considering their antecedents, if the first and third petitioners are enlarged on bail, there is every likelihood of their indulging in similar offences. Hence, this Court is not inclined to grant bail to the first and third petitioners. However, insofar as the second petitioner is concerned, though he has previous cases, considering his long incarceration and the overall facts and circumstances of the case, this Court is inclined to enlarge the second petitioner on bail, subject to certain conditions.

7. Accordingly, the petitioner No.2 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 for a like sum each to the satisfaction of the learned **Judicial Magistrate Court, Vandhavasi**, 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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[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 No.2 shall report before the respondent police twice a day at 10.30 a.m. and 05.30 p.m until further orders;

[c] the petitioner No.2 shall not abscond either during investigation or trial;

[d] the petitioner No.2 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 petitioner No.2 in accordance with law as if the conditions had been imposed and the petitioner No.2 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 petitioner No.2 thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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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

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1. The learned Judicial Magistrate Court, Vandhavasi.
2. Central Prison, Vellore.
3. The Inspector of Police, Vandavasi North Police Station,
Tiruvannamalai.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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