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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-11-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL A No. 1367 of 2026

CNR: {HCMA012510082026}

Case QR

1. Shankar
   S/o. Chinnadurai,
   171, Mettu Street, Kilandur,
   Arakkonam Taluk, Ranipet District.

2. Kavitha
   W/o Shankar,
   171, Mettu Street,
   Kilandur, Arakkonam Taluk,
   Ranipet District.

...Appellants/Accused

Vs

1. The State Rep. by,
   The Deputy Superintendent of Police,
   Arakkonam Circle,
   Ranipet District.

2. The Inspector of Police,
   Arakkonam Taluk Police Station,
   Arakkonam, Ranipet District.
   Crime No.323 of 2026.

3. Rajesh
   S/o. Manivel,
   No.09, Gowthamapuram,
   Kainoor, Arakkonam Taluk,
   Ranipet District,
   Tamil Nadu – 631 003.

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4. Shanthi
W/o. Late.Latchmanan,
No.3/103, Arunthathiyar Colony,
P.T.Putur, Karthikeya Puram,
Tituttani Taluk, Thiruvallur District.

...Respondents

Prayer : The Criminal Appeal is filed under Section 14A of the Scheduled Castes and Schedule Tribes Amendment Act 2015, to set aside the order passed by the Court of Sessions Division of Ranipet District in Crl.MP.No.1319 of 2026 dated. 19.09.2026 (wrongly mentioned as 19.08.2026 in the petition) and enlarge the appellants on bail concerned in Cr.No.323 of 2026 on the file of Inspector of Police, Arakkonam Taluk Police Station, Arakkonam, Ranipet District.

For Appellants: Mr.K.Balasubramaniam

For Respondents: Ms.Sharada Vivek
Additional Public Prosecutor for R1 and R2

Mr.A.Asai Thambi
for R4

Court Notice Service Awaited For R3
Private Notice Permitted - Proof Not Filed

JUDGMENT

The Criminal Appeal challenges the order passed by the learned Principal Sessions Judge, Ranipet dismissing the appellants' bail

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application filed in Crime No.323 of 2026 registered for the offences under Section 103(1) of BNS, 2023 @ Sec.103(1) of BNS 2023 & Sec.3(1)(r), 3(1)(s), 3(2)(va) of SC/ST(POA) Act, 1989.

2.The case of the prosecution is that the appellants are arrayed as A1 and A2 in the final report; that A1 is the husband of A2; that A1 was unable to perform his marital obligations pursuant to a snake bite; that therefore, A2 had illicit relationship initially with one person and then with the deceased; that the deceased taking advantage of the same, had caused trouble to A2, as a result of which, she informed A1; and that the appellants along with the other accused caused the death of the deceased.

3(a). The learned counsel for the appellants/A1 and A2, would submit that the appellants sought for bail before the Sessions Court, which came to be dismissed by the impugned order, on the ground that the appellants are accused of serious offence of murder; that the final report has now been filed; that the case is based on circumstantial evidence; and the circumstances do not point out only to the guilt of the appellants.

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(b). The learned counsel for the appellants further submitted that co-accused/A3 was granted bail by this Court in Crl.A.No.1227 of 2026 dated 16.10.2026.

4. The learned Additional Public Prosecutor for the respondents 1 and 2, *per contra* submitted that the final report has been filed; and that the appellants have caused the death of the deceased and there are circumstances to prove the case.

5.The learned counsel for the *de-facto* complainant/mother of the deceased would submit that the appellants had committed a heinous offence and therefore, bail ought not to be granted to them.

6.Admittedly, after the bail was dismissed by the trial Court, the respondent police have now filed the final report, which is yet to be taken on file. The case is based on circumstantial evidence. It has to be examined during trial as to whether the circumstances are sufficient to hold the appellants guilty of the alleged offences. The appellants are in custody since 10.07.2026. This Court has granted bail to the co-accused/A3 in Crl.A.No.1227 of 2026 dated 16.10.2026. The

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appellants have to defend their case effectively and since further incarceration is not required for the purpose of investigation, this Court is inclined to release the appellants on bail, on the following conditions;

(i) The appellants shall each execute 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 Court of Sessions Division of Ranipet District;

(ii) the appellants and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity;

(iii)the appellants shall appear before the trial Court on every Monday at 10.30 a.m. and on all hearings;

(iv)the respondent police is directed to ensure that there is no threat to the life and safety of the de-facto complainant. In the event of any threat, appropriate steps to be taken.

(v)the appellants shall not commit any offence of similar nature;

(vi)the appellants shall not abscond either during investigation or trial;

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(vii)the appellants shall not tamper with evidence or witnesses either during investigation or trial;

(viii)on breach of any of the aforesaid conditions, the learned Sessions Judge/Trial Court is entitled to take appropriate action against the appellant in accordance with law as if the conditions have been imposed and the appellant released on bail by the learned Sessions Judge/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]*;

(ix)if the appellants thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

7. In view of the above, the impugned order, dated 19.09.2026 in Crl.M.P.No.1319 of 2026 in Crime No. 323 of 2026 passed by the learned Principal Sessions Judge, Court of Sessions Division of Ranipet District, is set aside and the Criminal Appeal is allowed.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
Note: Issue order copy today.
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To

1. The Principal Sessions Judge,
   Court of Sessions Division of Ranipet District.

2. The Deputy Superintendent of Police,
   Arakkonam Circle,
   Ranipet District.

3.The Inspector of Police,
  Arakkonam Taluk Police Station,
  Arakkonam, Ranipet District.

4.The Superintendent of Prison,
Central Prison, Vellore.

5. The Public Prosecutor,
   High Court of Madras.

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SUNDER MOHAN, J.

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