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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32368 of 2026

Karthick Kannan,
S/o.Sitthuraj,
No.1/87, Paraivattam,
Vedakathampatty,
Salem South Taluk,
Salem District-636 307. ...Petitioner/Sole Accused

Vs

The State rep. by
The Inspector of Police,
Kondalampatty Police Station,
Salem City. ...Respondent/Complainant
(Crime No.253 of 2026)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with P.R.C.No.152 of 2026, pending trial on the file of the learned Judicial Magistrate No.V, Salem.

For Petitioner(s): Mr.L.Ramanathan

For Respondent(s): Mr.M.M.I.Khaleel,
Govt.Advocate (Crl.Side)

O R D E R

The Petitioner, who was arrested and remanded to judicial custody on 09.06.2026 for the alleged offence under Section 103(1) of BNS altered to 103(1), 296(b) of BNS Act in Crime No.253 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the proseuction is that, in the year 2021, the petitioner and the deceased Tamil Selvan were arrested in connection with a robbery of 50 sovereigns of gold and were subsequently released on conditional bail. On 17.05.2026, the petitioner allegedly threatened the deceased, holding him responsible for his arrest in the robbery case. Subsequently, on 08.06.2026, the deceased was found dead inside the house of one Gokul at Vedukathampatti Parai Vattam, with injuries on his head and a broken cement stone lying nearby. It is further alleged that the deceased had entered the said house along with the petitioner at about 03.50p.m., but only the petitioner came out at about 05.00p.m. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the petitioner has been in judicial custody since 09.06.2026. He also further submitted that the petitioner was detained under the Goondas Act; however, the detention order was subsequently set aside by this Court in H.C.P.No.1336 of 2026, dated 05.10.2026 and the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and

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submitted that the investigation is completed and the charge sheet has been filed. Hence, he opposed the grant of bail to the petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. Considering the facts and circumstances of this case and the period of incarceration already undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on him 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.V, Salem,** 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 a.m., until further orders;

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

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[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 acc with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned 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 Judicial Magistrate No.V,
Salem.

2.The Inspector of Police,
Kondalampatty Police Station,
Salem City.

3.The Superintendent,
Central Prison, Salem.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

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