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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32939 of 2026

CNR: {HCMA012689242026}

Vinoth
S/o Arumugam
No.47, canal Street,
C.B.Road, washermenpet, Chennai-600021

Case QR

..Petitioner(s)

Vs

State rep by the Inspector of police
H-1 Washermenpet Police Station,
Chennai.
Crime No.413/2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in crime no.413/2026 pending investigation on the file of the respondent

For Petitioner(s): Mr.AGNES SAMANTHA OPHELIE P

For Respondent(s): Mr.Durai Gunasekaran,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.09.2026 for the alleged offence under Sections 103, 351(3) of BNS 2023 in Crime No.413 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, while the deceased and A1 to A3 were consuming alcohol near a railway track, A1 and A2 attcked the deceased

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with a broken liquor bottle on his neck, while A3 and the petitioner allegedly caught hold of his hands and legs and instigated the attack. When the defacto complainant and the deceased's brother intervened, the accused threatened them, and fled from the scene. Subsequently, the deceased was examined and declared dead. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court, and hence, prayed for the grant of bail.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the petitioner caught hold the deceased legs and hands and instigated the other accused to attack him. He further submitted that the petitioner has no previous cases and that the case is under investigation. 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.

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6. It is a case of murder arising out of a quarrel while consuming alcohol near a railway track. The petitioner is arrayed as A4. According to the prosecution on 21.09.2026, A1 and A2 attacked the deceased on his neck and head with broken liquor bottles, while A3 and the petitioner caught hold of his legs and hands. The accused also threatened the defacto complainant and his brother and fled from the scene. The petitioner was arrested and has been in judicial custody since 22.09.2026. The investigation has been completed and the charge sheet has been filed and yet to be taken on file. Considering the above facts and circumstances of the case, the completion of investigation and the nature of the allegations, 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 his 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 XV Metropolitan Magistrate, George Town, Chennai,** 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**

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police twice daily at 10.30 a.m., and 5.30 p.m, until further orders;

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

[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 accordance 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.

12-11-2026

DRL

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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To

1.The XV Metropolitan Magistrate,
George Town, Chennai.

2. The Inspector of police
H-1 Washermenpet Police Station,
Chennai.

3.The Superintendent, Central Prison,
Puzhal, Chennai.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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