



Crl.A. No. 1791 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2026

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.A. No. 1791 of 2025

R. Arun
S/o. Rajendran,
No.4/851, Agan Nagar,
4th Street, Perumuchi,
Arakkonam Taluk, Ranipet District.

..Appellant

Vs.

1. The Deputy Superintendent of Police,
Arakkonam, Ranipet District.
2. State rep. By Inspector of Police,
Arakkonam Town Police Station,
Ranipet District.
(Crime No. 416 of 2025)
3. Saranya, (VAO)
W/o. Nagarathinam,
No.33, Perumuchi Village,
Arakkonam Taluk,
Ranipet District.
4. S. Kalanithi,
W/o. Late Suresh,
No. 393/241, Agan Nagar,
1st Arakkonam Taluk,



Crl.A. No. 1791 of 2025

Ranipet District – 631 002.

Phone 9677484774

(R4 is suo motu impleaded as per orders of this Court dated 08.12.2025 & 08.01.2026 in Crl.A. No. 1791 of 2025.)

..Respondents

Prayer: Criminal Appeal filed under Section 14(A)2) of Scheduled Caste/ Scheduled Tribe (Prevention of Atrocities) Act, 1989 to set aside the order dated 23.10.2025 passed in Crl.M.P. No. 1487 of 2025 in Spl.S.C. No. 210 of 2025 in Crime No. 416 of 2025 by the Court of Sessions Division of Ranipet District and enlarge the appellant on bail.

For Appellant :: Mr.M.D. Ilayaraja

For Respondents :: Mr.S. Raja Kumar,
Additional Public Prosecutor
for R1 & R2
No appearance for R3
Mr.V. Perarasu
Legal Aid Counsel for R4

J U D G M E N T

The appellant challenges the order dated 23.10.2025 passed in Crl.M.P. No. 1487 of 2025 in Spl.S.C. No. 210 of 2025 in Crime No. 416 of 2025 by the Court of Sessions Division of Ranipet District dismissing the appellant's application for bail.



Crl.A. No. 1791 of 2025

2. The appellant is an accused in Crime No. 416 of 2025 registered for offences under Sections 103(1), 296(b), 238 of BNS Act, 2023 and 3(2)(v) of Scheduled Caste/Scheduled Tribe (Prevention of Atrocities) Act, 1989.

3. The gist of the prosecution case is that one Gowtham, since deceased, had illicit intimacy with the wife of appellant's brother; that the said fact was informed to the appellant/A1 by A3; that all the accused conspired to do away with the deceased; that they caused the death of the deceased and threw the body into a lake.

4. Learned counsel for the appellant would submit that the case was initially registered under Section 194(1) of BNSS; that it was subsequently altered to aforementioned offences; that the case is based on circumstantial evidence; that the appellant has been implicated only on suspicion; that the appellant is in custody from 18.06.2025; that the appellant has no bad antecedents; that co-accused A3 was granted bail by the Sessions Court by order dated 15.09.2025; that the final report has already been filed and that it has been taken cognizance in Special S.C. No. 210 of 2025.



Crl.A. No. 1791 of 2025

5. Though notice was served on the *de facto* complainant, none entered appearance on her behalf. Therefore, this Court appointed Mr.V. Perarasu, who represented the *de facto* complainant and he would submit that the appellant is guilty of a heinous offence; that if the appellant is enlarged on bail, he would tamper with the witnesses and since, the trial is yet to commence, the appeal may be dismissed.

6. Learned Additional Public Prosecutor appearing for respondents 1 and 2 confirmed the fact that one of the co-accused has been released on bail and that the respondent Police have filed the final report.

7. Heard the submissions of the learned counsel for the appellant; learned counsel for the *de facto* complainant and the learned Additional Public Prosecutor for respondents 1 and 2.

8. It is seen that the case against the appellant was initially registered under Section 194(1) of BNSS and subsequently, it was altered to offences under Sections 103(1), 296(b), 238 of BNS Act, 2023 and 3(2)(v) of Scheduled Caste/Scheduled Tribe (Prevention of Atrocities) Act, 1989. The case is based on circumstantial evidence. Admittedly, the appellant is in custody from 18.06.2025. The respondent Police have completed the



Crl.A. No. 1791 of 2025

investigation and filed the final report and the same has been taken on file in Spl.S.C.No.210 of 2025. Considering the period of incarceration of the appellant and the aforesaid facts, further incarceration of the appellant may not be required. Therefore, this Court is inclined to set aside the impugned order and release the appellant on bail on stringent conditions.

9. Accordingly, the impugned order dated 23.10.2025 in CrI.M.P. No. 1487 of 2025 in Spl.S.C. No. 210 of 2025 in Cr.No. 416 of 2025 is set aside and the Criminal Appeal is allowed. The appellant shall be enlarged on bail subject to the following conditions:

(i) The appellant shall execute a bond for a sum of Rs.25,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.I, Arakkonam.

(ii) The appellant shall appear before the Trial Court on the first working day of every month;

(iii) The appellant 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;

(iv)the appellant shall appear before the trial Court on all hearings;

(v)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.

(vi)the appellant shall not commit any offences of similar nature;

(vii)the appellant shall not abscond either during investigation or trial;

(viii)the appellant shall not tamper with evidence or witness either during investigation or trial;

(ix)on breach of any of the aforesaid conditions, the learned Sessions Judge/Trial Court is entitled to take appropriate action against the



Crl.A. No. 1791 of 2025

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]*;

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

09.01.2026

Neutral Citation: Yes/No

nv

(Note to Office: Issue order copy

today (**09.01.2026**) itself)

To

1. The Court of Sessions Division
of Ranipet District.
2. The Judicial Magistrate No.1,
Arakkonam.
3. The Superintendent,
Central Prison for Men, Vellore.
4. The Public Prosecutor,
High Court, Madras.

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Crl.A. No. 1791 of 2025

SUNDER MOHAN,J.

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Crl.A. No. 1791 of 2025

09.01.2026