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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 34121 of 2026

Tharun,
S/o.Raja,
No.6/28, Yathavar Street,
Kozhumanivakkam, Mangadu,
Chennai-600122. ...Petitioner/Accused-5

Vs

The State represented by
The Inspector of Police,
Mangadu Police Station,
Kancheepuram District. ...Respondent/Complainant
(Crime No.406 of 2026)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No.406 of 2026 on the file of the respondent.

For Petitioner(s): Mr.K.Balasubramaniam

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 27.09.2026 for the alleged offence under Sections 194(1) of BNS @ 103(1) of BNS @ 296(b), 191(2), 191(3), 103(1) of BNS, in Crime No.406 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the deceased adn A1 were close friends and A1 was in relationship with Praveena. As the deceased allegedly sent an abusive message to Praveena through snapchat, A1 became enraged and conspired with the other accused to attack him. On 25.09.2026, A1 allegedly brought the deceased to a vacant land at Kozhumanivakkam, where the accused assaulted him with slippers, stones and a knife. The petitioner along with other, allegedly attacked the deceased on his legs. Subsequently, some of the accused allegedly tied the deceased to a stone and threw him into a well. 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 27.09.2026. He also further submitted that 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 submitted that there are nine accused and the petitioner is arrayed as A5. He further submitted that the petitioner along with co-accused have killed the deceased by using nylon rope and stone and thrown into the well. He further submitted that the investigation is still pending. Hence, he opposed the grant of bail to the petitioner.

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

6. It is a case of murder. There are totally nine accused in this case and the petitioner is arrayed as A5. The allegation against the petitoiner is that he along with other accused killed the deceased using nylon rope and stone and thrown into a well. Based on the confession statement of the arrested accused/A1, the petitioner was implicated as an accused in the present case. The investigation is still pending. The petitioner was arrested and has been in judicial custody since 27.09.2026. Considering the above facts and circumstances of the case, nature of the allegations 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, Sriperumbudur,** 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;

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[b] the petitioner shall report before the respondent police twice daily at 10.30 a.m., and 5.30p.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 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.

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To

1.The Judicial Magistrate,
Sriperumbudur.

2.The Inspector of Police,
Mangadu Police Station,
Kancheepuram District.

3.The Superintendent,
Central Prison, Puzhal.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

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