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Crl.A. No. 1886 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2026

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.A. No. 1886 of 2025

Sathish
S/o.Ganesan
No.236/386, 2nd Street,
Agan Nagar, Perumuchi Post,
Arakkonam Taluk,
Ranipet District.

..Appellant

Vs.

1. The State rep. by
The Deputy Superintendent of Police,
Arakkonam Circle, Ranipet District.
2. State rep. by its,
The Inspector of Police,
Arakkonam Town Police Station,
Ranipet District.
(Crime No. 416 of 2025)
3. Saranya,
D/o. Nagarathinam,
Village Administrative Officer,
No.33, Perumuchi Village,
Arakkonam Taluk,
Ranipet District.



Crl.A. No. 1886 of 2025

WEB COPY

4. M/s.Kalanithi,
No.33, Perumuchi Village,
Arakkonam Taluk,
Ranipet District.

(R4 is suo motu impleaded as per order of
this Court dated 18.12.2025
in Crl.A. No. 1886 of 2025.)

..Respondents

Prayer: Criminal Appeal filed under Section 14 A (2) of Scheduled Caste/
Scheduled Tribe (Prevention of Atrocities) Amendment Act, 2015 to set
aside the order dated 25.10.2025 passed in Crl.M.P. No. 1498 of 2025 in
Spl.S.C. No. 210 of 2025 on the file of the learned Court of Sessions
Division of Ranipet and enlarge the appellant on bail in connection with the
case in Spl.S.C.No.210 of 2025 pending trial on the file of the learned Court
of Sessions Division of Ranipet..

For Appellant :: Mr.C.Harish

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



Crl.A. No. 1886 of 2025

J U D G M E N T

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The appellant challenges the order dated 25.10.2025 passed in Crl.M.P. No. 1498 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.

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 A1's brother; that the said fact was informed to the A1 by A3; that all the accused conspired to do away with the deceased; and 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



Crl.A. No. 1886 of 2025

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 other co-accused A1 was also granted bail by this Court by order dated 09.01.2026; that the final report has already been filed and that it has been taken cognizance in Special S.C. No. 210 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 two of the co-accused have 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.



Crl.A. No. 1886 of 2025

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 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 25.10.2025 in Crl.M.P. No. 1498 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 Twenty Five thousand



only) with two sureties each for a like sum to the satisfaction of the learned Court of Sessions Division of Ranipet.

(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;



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Crl.A. No. 1886 of 2025

(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 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.

19.01.2026

Neutral Citation: Yes/No

Tsg

(Note to Office: Issue order copy today **(20.01.2026)** itself)



Crl.A. No. 1886 of 2025

To

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1. The Court of Sessions Division
of Ranipet District.
2. The Judicial Magistrate No.1,
Arakkonam.
3. The Superintendent,
Vellore Central Prison.
4. The Inspector of Police,
Arakkonam Town Police Station,
Ranipet District.
5. The Public Prosecutor,
High Court, Madras.



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Crl.A. No. 1886 of 2025

SUNDER MOHAN,J.

Tsg

Crl.A. No. 1886 of 2025

19.01.2026