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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.35899 of 2025

1. Palanisamy @ Palanichami

2. Kulanthaivel

3. Jayakodi

... Petitioners

Versus

State rep. by

The Inspector of Police,

Kariyakoil Police Station,

Salem District,

(Crime No.39 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of B.N.S.S., to enlarge the petitioner on bail in Crime No.39 of 2025 on the file of the respondent police.

For Petitioner : Mr.N.Raja

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 28.11.2025, for the alleged offence punishable under Sections 103 of BNS r/w 25(1) (a) of Arms Act, 1959 in Crime No.39 of 2025, on the file of the respondent police, seeks bail.



2. The allegation against the petitioners is that the petitioners are the relatives of A1 in this case and they were having a property dispute with the deceased in this case. Accordingly, on the date of occurrence on 21.11.2025 at about 07.45 p.m., when the deceased was travelling in a two wheeler, A1 has used the country made gun and shot at him on his head which resulted in causing of death instantaneously and hence the case was registered.

3. Learned counsel appearing for the petitioners submitted that the petitioners herein are not having direct overtact of attacking the deceased and they have been falsely implicated in this case. Since they are family members of A1 in this case and he further submitted that the petitioners are in incarceration since 28.11.2025 and prays for grant of bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that totally there are four accused in this case and these petitioners are A2 to A4 and they closely assisted the A1 to murder the deceased and hence they are also arrested and in custody and investigation is still pending in this case. Hence, he opposes to grant bail to these petitioners.



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5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions made by the learned counsel on both sides and considering the fact that the petitioners herein have not directly attacked the deceased and they have been in incarceration from 28.11.2025, and considering the motive behind the occurrence, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** each, with two sureties, for a like sum to the satisfaction of the *learned Judicial Magistrate No.1, Attur*, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] these petitioners shall report before the



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respondent police daily at 10.00 a.m., for a period of four weeks and thereafter as and when required for interrogation;

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

[d] the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

07.01.2026

gv



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.1, Attur,
2. The Inspector of Police,
Kariyakoil Police Station,
Salem District,
3. The Superintendent,
Central Jail, Salem.
4. The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

gv

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