

Crl.A(MD)No.277 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.A(MD)No.277 of 2026

Saravanan

... Appellant

Vs.

1.The State of Tamil Nadu rep by
the Deputy Superintendent of Police,
CBCID Tirunelveli District,
[Crime No.1 of 2025]

2.Tamil Selvi

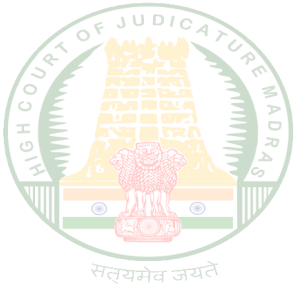
... Respondents

Prayer: Appeal filed under Section 14 - A (2) of the SC/ST (POA) Act to call for the records relating to the order dated 21.01.2026 passed in CrlMP.No.17 of 2026 on the file of the Court of the II Additional Sessions Judge (PCR), Tirunelveli and set aside the same and allow this criminal appeal by enlarging the appellant on bail in SC.No.120 of 2025.

For Petitioner : Mr.Ananth

For Respondent : Mr.D.Venkatesh,
No.1 Government Counsel

For Respondent : Mr.C.M.Arumugam
No.2



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ORDER

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The appellant is accused No.2 in Crime No.1 of 2025 on the file of the CB-CID, Tirunelveli and he was arrested on the allegation that he harboured accused No.1/ his son, who committed an act of honour killing.

2.The application filed by this appellant seeking bail under section 483 BNSS was dismissed by the impugned order of the trial court in CrlMP.No.17 of 2026 dated 21.01.2026 and as against the same, the present criminal appeal has been filed seeking bail.

3.The appellant / A2 has been arrested on 11.08.2025 and remanded to judicial custody for the offences under Sections 296(b), 103(1), 49 of BNS read with sections 3(1)(r), 3(1)(s) and 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

4.The appellant / A2 is working as a Sub-Inspector of Police and he is the father of accused No.1. The appellant's daughter had studied with the deceased in a school and they had developed love affair. This love



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affair had been known to accused No.1 and the appellant in the month of January 2025. The appellant / A2 started to speak with the deceased in the month of July 2025 and asked him to come to Tirunelveli. The deceased Kavin had visited Tirunelveli for the treatment of his grandfather at Perumalpuram and called A1 and informed his arrival. The appellant's son/ A1 contacted and picked up the deceased in a two-wheeler and taken him to the place of occurrence at Lakshmipuram on 27.07.2025. At around 2.17 pm, when they reached the place of occurrence, there was a wordy altercation between them. It is alleged that A1 took chilli powder and threw the same on the deceased, took aruval and proceeded to assault him. The deceased attempted to escape from accused No.1 after suffering some cuts. However, he was chased and killed near Ambal Hospital. In total, there were 19 injuries on the deceased and the offence was committed at around 2.22 pm and at around 2.23 pm, accused No.1 called his father, the appellant / A2 and informed him about the occurrence. The appellant in turn has informed his wife / A3. A3 informed about the same to her sister's son/ A4 and requested him to help A1. After committing the offence, A1 went to A4's quarry at Pappankulam and destroyed the evidence. While so, the appellant/ A2 went to the place of



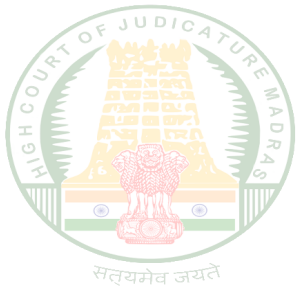
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occurrence, informed the Head Constable, who was present there that the murder was committed by his son. However, he provided wrong information about the community of the deceased. The appellant/ A2 was arrested along with A1 on 11.08.2025 and since then, both the accused are in jail.

5.The respondent police has collected evidence including the CCTV Footage and Digital Video Recordings from the scene of occurrence and filed the final report on 04.11.2025. The same was taken on file by the II Additional District Court (PCR Act cases), Tirunelveli in SC.No.120 of 2025 and the same is pending for trial.

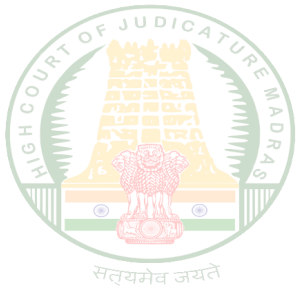
6.The applications filed by this appellant seeking bail before the trial court in CrIMP Nos.366 of 2025 and 428 of 2025, were dismissed by orders dated 16.09.2025 and 10.10.2025 and the earlier appeal filed by this appellant before this court in CrlA(MD)No.1201 of 2025 as against the above orders of the trial court was dismissed by this court on 03.12.2025. The subsequent bail petition filed by the appellant before the trial court in in CrIMP.No.17 of 2026 was dismissed on 21.01.2026 vide impugned order and as against the same, the present appeal has been filed seeking bail.



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7.The learned counsel appearing for the appellant submits that this appellant is in jail from 11.08.2025 for a period of 10 months and he is not having any role in the commission of offence. According to him, this appellant is innocent and has nothing to do with the commission of offence. According to the learned counsel, there are no materials to show that the appellant caused the disappearance of evidence related to the case. He submits that the allegation as against this appellant is that he had harboured A1 after the commission of offence. But the fact is otherwise. It is the appellant, who has informed the police present at the place of occurrence that his son was the accused and in fact, it is the appellant who handed over his son/ A1 to the police at 4.30 pm on the very same day of the occurrence. He submits that the same was reported in various newspapers. However, once the CB-CID took over the investigation, it was projected as if the appellant's son/ A1 was arrested by the Assistant Commissioner of Police at 9.00 pm on the day of occurrence. He submits that there were no phone calls between the appellant and A1 prior to the occurrence and between the appellant and the deceased on the day of occurrence.

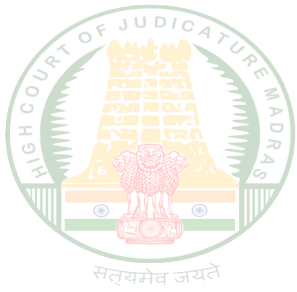


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8. According to the learned counsel, the investigation in this case has been completed and final report has been taken on file by the trial court. He further submits that the appellant has filed an application to quash the proceedings as against him in SC.No.120 of 2025 before this court in Crl OP(MD)No.995 of 2026 and this court has granted an interim order of stay by order dated 29.04.2026. Therefore, the learned counsel prayed for grant of bail.

9. On the other hand, the learned Government Counsel appearing for the respondent police has raised an objection that the appellant is an accused in a case of honour killing. The deceased, an engineering graduate was in love with the appellant's daughter and therefore, he was brutally murdered by the appellant's son/A1. This appellant was aware of the love affair between his daughter and the deceased. Immediate to the occurrence, A1 has called this appellant / his father and informed about the same and this appellant visited the scene of occurrence, saw the dead body and then left the place of occurrence. However, during enquiry, he has stated that he was present in the 11th battalion at the time of occurrence.



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10.The learned Government Counsel further submits that this appellant along with his wife/ A3 had screened the evidence and aided A1 to hide in the property owned by their relative/ A4. He further submits that the appellant purchased two-wheeler for A1 with a fake number plate and another two-wheeler to his daughter with a fake number plate.

11.The learned counsel for the 2nd respondent / defacto complainant opposed the grant of bail to the appellant and submits that this appellant is a police officer and knew about the love affair of his daughter with the deceased and has also abetted his son/ A1 for the commission of offence and also screened the evidence. In the event he is released on bail, then he would intimidate the witnesses and the trial would be affected.

12.Heard the rival submissions and also perused the materials placed on record.

13.The appellant is accused No.2 in SC.No.120 of 2025 pending on the file of the II Additional District Court (PCR Act cases), Tirunelveli. He was arrested on the allegation that he had assisted his son/ A1 to screen

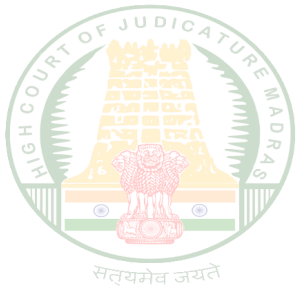


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the evidence and facilitated him to hide at A4's property. The investigation has been completed and final report has been filed for the offences under Sections 203 (1), 238(a), 249(a), 318(3) of the BNS read with Sections 3(1)(r), 3(1)(s), 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

14.The allegation as against this appellant / A2 is that he was aware of the love affair between his daughter and the deceased, warned his daughter about the same and also called the deceased and spoke with the deceased in the year 2018. It is also alleged that he received two-wheeler under pledge and gave the same to his son/ A1 in 2023 with a fake registration number and another two-wheeler to his daughter with a fake registration number. On the date of occurrence (i.e.) 27.07.2025 at about 2.23pm, the appellant / A2 received a call from his son A1 about the occurrence and A2 has informed about the same to A3. After that he instructed A1 to destroy the clothes, dispose the cell phone and remove the number plate of his two- wheeler.

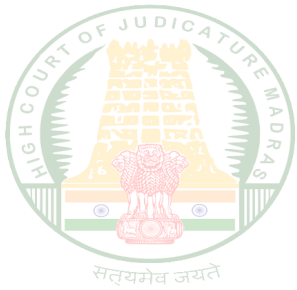


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15.The appellant/ A2 has also visited the scene of occurrence on 27.07.2025 at about 2.39pm. Police claim that he gave wrong information about the community of the deceased to the police on duty, however, the appellant claims that he only informed the police about the commission of offence by his son and also handed over him to the police. The learned counsel has relied upon the reporting by certain newspapers that A1 had surrendered immediately to the occurrence.

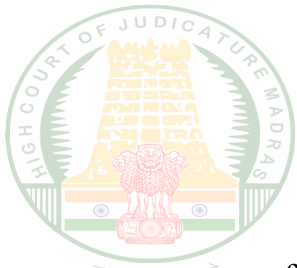
16.Even according to the investigating agency, there were no calls made between the appellant/ A2 and A1 prior to the occurrence. Further, there were no calls between the appellant/ A2 and the deceased or between A2 and any family member of the victim prior to the occurrence. Therefore, the available materials are not sufficient to presume that this appellant/ A2 is having any active role in the commission of offence. The appellant is in jail for the past 10 months and the investigation has been completed. This court has also stayed the proceedings as against the petitioner in Crl OP(MD)No.995 of 2026 on 29.04.2026.



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17. Admittedly, the appellant has not actively participated in the offence. The allegation of harbouring accused No.1 is also disputed by the appellant that only he informed the police about the involvement of his son in the occurrence and that he has also handed over his son to the police. However, based on this allegation, the appellant is in jail for the past 10 months. In the event if this is an ordinary murder case, he would have been granted bail by this time. However, the state has opposed grant of bail to this appellant arguing that this is an instance of honour killing and therefore, he cannot be released on bail. Though the appellant has not played any active role in the commission of the offence, he must take responsibility for having brought up his son with casteism. Honour killing is the extreme reflection of casteism. Casteism divides the society and the Hon'ble Supreme Court in the case of *Lala Singh Vs State of Uttar Pradesh [2006 (5) SCC 475]* has observed that casteism is a curse on the nation. In fact, this is not the first instance of honour killing and there were 59 honour killings reported in the state over the past 10 years. Casteism has become deep rooted in the minds of the people and it is spoiling the entire system. The appellant or his family alone cannot be blamed for the same when casteism is prevalent in the mind of every person. No matter how



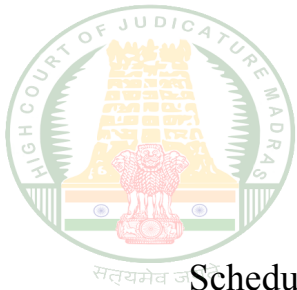
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powerful or privileged a person is, everyone is experiencing castesim in one form or another. Even we Judges are not spared from the same. Motives are attributed to our orders on the basis of caste, even though the cases are being decided on the basis of merit.

18. Even great leaders like Tvl.Kamarajar, Muthuramalinga Thevar, VO.Chidambaram, etc., are now projected on communal basis. This mindset of the people has to be changed and the State alone can bring about such a change. The State has to take strong initiative for the same. However even certain political parties are adding fuel to this social evil by using caste to mobilise votes.

19. This kind of mindset is more prevalent in the Southern districts and when there was an incident of violence among the school students, the Government appointed a Committee headed Justice K.Chandru (Rtd) to suggest measures to eradicate casteism and to ensure social harmony in the schools and this committee has submitted its report to the government. However it appears the recommendations have not been implemented in full. The legislations like Scheduled Castes and



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Scheduled Tribes (Prevention of Atrocities) Act, 1989 have not yielded the expected results. The incidents being reported under this Act are increasing day by day and reforms have to be made from the school level to change the mindset of the younger generation.

20.The people might be afraid of changing their mindset due to the need to appease their own community members. However, we should remember that soldiers drawn from every caste, community, language, and region of the country serve the nation at our borders. When they face enemy fire and make the ultimate sacrifice in defence of the motherland, neither their blood nor their patriotism bears the mark of caste. Their lives and sacrifices embody the ideals of unity and equality that form the bedrock of our Constitution. If those entrusted with safeguarding the nation can unite towards a common cause, their example should inspire every citizen to reject caste prejudices and work towards the creation of a society where every individual is treated with respect. The sun gives light to everyone, the rain falls on everyone and the air is shared by everyone. Nature does not recognizes caste. Only when the society transcends the artificial barriers of caste, will it truly awaken to the enduring truth that all



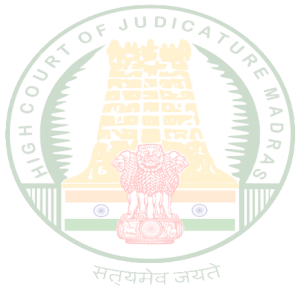
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human beings are equal and that there is truly no “honour” in honour killings and it is a shameful act.

21.The recent assembly election results in the state of Tamil Nadu have shown that people can indeed be convinced to vote without considering the caste or community of the contestants. In fact, a government has been formed by largely nullifying the factors of caste. It must be remembered that the state can claim “true change (உண்மையான மாற்றம்)” only when the mindset of the people is also changed. Therefore, this government shall take the responsibility and initiative to eradicate caste from the minds of the people.

22.Coming to the facts of the present case, the appellant is in jail for the past 10 months, the wife of the appellant has been arrested, final report has been filed and the proceedings as against this appellant has been stayed by this court. This court is of the opinion that keeping the appellant in jail any longer would amount to pre-trial imprisonment and therefore, this court is inclined to grant bail to the appellant with stringent conditions as under:



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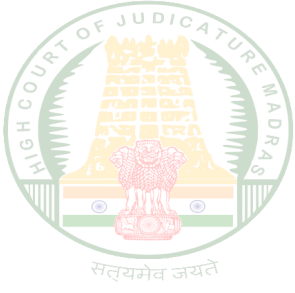
(i) The appellant is ordered to be enlarged on bail on executing a bond for a sum of Rs.1,00,000/- (Rupees One Lakh) with two sureties each for a like sum to the satisfaction of the learned II Additional Sessions Judge (PCR), Tirunelveli.

(ii) The appellant and the sureties shall file an affidavit before the respondent police that the appellant will not misuse this liberty, will not indulge in any further offence, will not visit the occurrence place during the trial.

(iii) The appellant shall stay at Coimbatore and report before the Inspector of Police, B2 R.S.Puram Police Station daily twice at 10.30am and 5.00pm.

(iv) If the appellant changes his residence, it shall be informed to the respondent police immediately.

(v) If the appellant violates any of the conditions, the respondent police shall move an application to cancel the bail granted to the appellant.



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In the result, this appeal is allowed in the above terms.

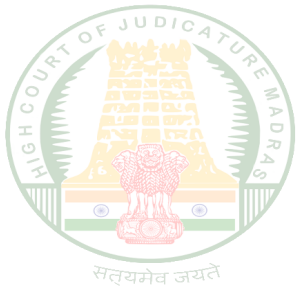
The impugned order is set aside.

11.06.2026

DSK

To

- 1.II Additional Sessions Judge (PCR),
Tirunelveli.
- 2.The Deputy Superintendent of Police,
CBCID Tirunelveli District,
- 3.The Inspector of Police,
B2 R.S.Puram Police Station,
Coimbatore.
- 4.The Superintendent,
Palayamkottai Prison,
Tirunelveli.
- 5.The Chief Secretary
to Government of Tamil Nadu,
Secretariat. Chennai.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.,

DSK

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