IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. OF 2026
(Arising out of SLP (Criminal) No. 9897 of 2026)

SARASWATHI **APPELLANT(S)**

VERSUS

ROHITH KUMAR ALIAS REVANNA & ANR. **RESPONDENT(S)**

O R D E R

1. Leave granted.

2. The present appeal arises out of the impugned order dated 30.04.2025 passed by the High Court of Judicature at Madras in Crl. O.P. No. 11432 of 2025, whereby the High Court allowed the petition preferred by respondent No. 1 (accused) and set aside the order dated 01.04.2025 passed by the District Munsif-cum-Judicial Magistrate No. 1, Hosur in Crl. M.P. No. 224 of 2025, cancelling his bail.

3. The factual matrix of the case, as emerging from the record, is that an FIR bearing Crime No. 278 of 2024 was registered on the complaint of the Village Administrative Officer upon recovery of the dead body

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Date: 2026.01.17 18:21:39 IST
Reason:

of the deceased (a 22-year-old law student) on a public road. Investigation revealed that respondent No. 1, owing to previous enmity, along with other co-accused persons, abducted the deceased and attacked him with lethal weapons, causing his death. Respondent No. 1 was arrested on 08.10.2024 and was subsequently released on default bail under Section 167(2) of the Code of Criminal Procedure, 1973, on 07.01.2025, after having remained in custody for approximately three months.

4. Thereafter, on 09.01.2025, another criminal case bearing Crime No. 12 of 2025 was registered against respondent No. 1 and other co-accused persons when they were intercepted travelling in two cars in a rash and negligent manner and were found in possession of five pistols. Respondent No. 1 was arrested and remained in custody until he was granted bail in Crime No. 12 of 2025 on 12.03.2025 in Criminal M.P. No. 675 of 2025 by the District and Sessions Court, Krishnagiri. Meanwhile, during the course of investigation in Crime No. 278 of 2024, respondent No. 1 also extended death threats to a person who had come to collect the vehicle involved in the crime. Consequently, an application seeking cancellation of bail (Criminal M.P. No. 224 of

2025) was moved before the District Munsif-cum-Judicial Magistrate, who, vide order dated 01.04.2025, cancelled the bail granted to respondent No. 1. Aggrieved thereby, respondent No. 1 approached the High Court of Judicature at Madras in Criminal O.P. No. 11432 of 2025, which was allowed vide the impugned order dated 30.04.2025, thereby enlarging respondent No. 1 on bail.

5. Learned counsel appearing for the appellant-complainant has vehemently argued that respondent No. 1 is a hardcore criminal having a checkered history of more than 10 criminal cases, including three murder cases, and that even after his release on bail, fresh criminal cases were registered against him. Attention of this Court has also been drawn to the order dated 26.05.2026 passed by the Principal District and Sessions Judge, Bengaluru Rural District, Bengaluru, in Criminal Miscellaneous No. 395 of 2026, rejecting the prayer of respondent No. 1 for anticipatory bail in a subsequent case. It is submitted that respondent No. 1 is the prime accused and main conspirator who abducted and murdered a 22-year-old law student who used to assist illiterate farmers in lodging complaints regarding fraud and land grabbing.

6. Learned counsel appearing for the State of Tamil Nadu has supported the submissions advanced on behalf of the appellant, stating that respondent No. 1 has a long list of criminal antecedents and has gone to the extent of threatening prosecution witnesses.

7. On the other hand, learned Senior counsel appearing for respondent No. 1 (Rohith Kumar Alias Revanna) has contended that the present appeal has become infructuous inasmuch as, subsequent to the transfer of investigation, the bail granted to respondent No. 1 was cancelled by the court in Karnataka and the said cancellation order has been affirmed by the High Court of Karnataka, against which respondent No. 1 proposes to file a Special Leave Petition.

8. It is further submitted that respondent No. 1 has been acquitted in three murder cases, though the long list of other criminal antecedents is not disputed. Learned Senior counsel has also raised a preliminary objection that the matter ought to have been argued by the Standing Counsel for the State of Karnataka rather than the State of Tamil Nadu.

9. Heard learned counsel for the parties at length

and perused the record.

10. This Court is of the considered opinion that the present appeal has certainly not become infructuous, as this Court is required to scrutinize the legality and propriety of the impugned order passed by the High Court of Judicature at Madras in the facts and circumstances of the case.

11. The appellant before this Court is the unfortunate mother of the deceased,-a lady who has lost her 22-year-old son, a law student who was fighting for the downtrodden sections of society, and whose tears are still flowing on account of the loss of her young son.

12. Upon careful perusal of the record, it is evident that respondent No. 1 remained in custody in the present case only from 08.10.2024 to 07.01.2025 (about three months) prior to grant of default bail, and thereafter from 09.01.2025 to 12.03.2025 and 01.04.2025 to 30.04.2025. It is indeed unfortunate that the High Court of Judicature at Madras, while dealing with the order dated 01.04.2025 cancelling the bail granted to respondent No. 1, has not at all referred to or considered the checkered history of criminal cases

against respondent No. 1, as well as his subsequent conduct of threatening witnesses and involvement in fresh offences while on bail, and has mechanically set aside the well-reasoned cancellation order passed by the District Munsif-cum-Judicial Magistrate.

13. Having carefully considered the impugned order passed by the High Court, keeping in view the brief period of custody undergone, the gravity and heinous nature of the offence, the extensive criminal antecedents of respondent No. 1, and the complete non-consideration thereof by the High Court, this Court is of the considered opinion that the impugned order dated 30.04.2025 passed by the High Court of Judicature at Madras cannot be sustained and deserves to be set aside.

14. Accordingly, the appeal is allowed and the impugned order dated 30.04.2025 passed by the High Court of Judicature at Madras in Criminal O.P. No. 11432 of 2025 is hereby set aside. Consequently, the order dated 01.04.2025 passed by the District Munsif-cum-Judicial Magistrate cancelling the bail of respondent No. 1 stands restored.

15. The appeal is allowed in the above terms.

16. Pending application(s), if any, shall stand disposed of.

……J.
[SATISH CHANDRA SHARMA]

……
J.
[NONGMEIKAPAM KOTISWAR SINGH]

NEW DELHI;
16th November, 2026

ITEM NO.1 COURT NO.15 SECTION II-C

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 9897/2026

[Arising out of impugned final judgment and order dated 30-04-2025 in CRLOP No. 11432/2025 passed by the High Court of Judicature at Madras]

SARASWATHI Petitioner(s)

VERSUS

ROHITH KUMAR ALIAS REVANNA & ANR. Respondent(s)

IA No. 149562/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 149565/2026 - EXEMPTION FROM FILING O.T.
IA No. 149561/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 16-11-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) :Mr. Ishaan George, AOR
Dr. Rukma George, Adv.
Mr. Sumit Kumar Siddharth, Adv.
Mr. Kamlesh Joshi, Adv.
Mr. Archit Jain, Adv.
Mr. Aman Ahluwalia, Adv.
Mr. Pradul Singhal, Adv.

For Respondent(s) :Mr. S. Nagamuthu, Sr. Adv.
Mr. Karthik Sundar, Adv.
Mr. Shreyas Kaushal, Adv.
Mr. Pg Santosh Kumar, Adv.
Mr. Nitin Kumar Tk, Adv.
Ms. Sangeetha Rajkumar, Adv.
Mr. Ambarish Deenadhayalraj, Adv.
Mr. Ashish Reddy, Adv.
Mr. Shantanu Kumar, Adv.
Ms. Sneha Sanjay Botwe- 4031, AOR

Mr. B. Karunakaran- 3845, AOR
Mr. Kamesh Gaud, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. Leave granted.

2. The appeal is allowed in terms of the signed order placed on the file.

3. Pending application(s), if any, shall stand disposed of.

(RAHUL KUMAR)
COURT MASTER (SH)

(KOMAL)
COURT MASTER (NSH)