

Crl.A(MD)No.792 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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Arjun

... Appellant /A2

Vs.

1.The State of Tamil Nadu,
represented by,
the Commissioner of Police,
Anna Nagar, Madurai City.

2.The Inspector of Police,
K.Pudur Police Station,
Madurai District.
(Crime No.181 of 2026)

3.Prasanth

... Respondents

Prayer: Petition filed under Section 14 -A(2) of the SC/ST Act to call for the records pertaining to the order passed by III Additional District and Sessions Judge, (PCR), Madurai for bail in CrMP.No.245 of 2026 dated 25.06.2026 and to set aside the same and to enlarge the appellant on bail in Crime No.181 of 2026 on the file of the respondent.

For Appellant : Mr.M.Mahedra Prabhu

For Respondent : Mrs.V.Moushica

1 and 2 Government Advocate

For R3 : Mr.Prasanth Party – in person



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ORDER

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This criminal appeal is filed by accused No.2 in Crime No.245 of 2026 on the file of the respondent police. He was arrested and remanded to judicial custody for the offence under Sections 189(2), 296(b), 126(2), 115(2), 118(1) of BNS and Section 3(1)(r), 3(1)(s) of SC/ST (Prevention of Atrocities) Act, 2015. He has filed an application before the Additional District and Sessions Judge (PCR), Madurai in Crime No.245 of 2026 seeking bail and the same was dismissed by order dated 25.06.2026. Challenging the same, the petitioner has filed this appeal.

2.The learned counsel for the appellant submits that the appellant and the defacto complainant are neighbours and friends. The occurrence had taken place all of a sudden due to a quarrel. According to the learned counsel the victim has been discharged from hospital. The investigation has also been completed. He further submits that a case has been registered in Crime No.182 of 2022 as a counter case and the appellant is in jail for the past 40 days.



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3.The learned Government Advocate submits that the defacto complainant has thrown a cup after having tea, it has fallen on the two wheeler of this appellant and therefore, the appellant and 4 others have assaulted the defacto complainant. The appellant / A2 assaulted the defacto complainant with beer bottle on his head and he has suffered head injury. Therefore, the learned Government Advocate opposes bail. Apart from this case, the appellant is having another case to his credit.

4. The 3rd respondent / defacto complainant is present before this court. The defacto complainant submits that he was assaulted with a beer bottle by this appellant, he suffered head injury and 13 sutures were laid.

5.The learned counsel for appellant submits that the appellant is prepared to deposit a sum of Rs.10,000/- to the credit of the Crime No.181 of 2026 without prejudice to his defence.

6.This court has considered the rival submissions made.



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7.The appellant claims that the appellant and the defacto complainant are neighbours and also are friends. The occurrence had taken place in a spur of the moment. Though the investigation is said to be completed, final report is yet to be filed. The appellant has also come forward to deposit a sum of Rs.10,000/- to the credit of the crime number. Considering the materials available and the period of incarceration, this court is inclined to grant bail to the appellant.

8.Accordingly, this appeal is allowed with the following conditions:

(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 III Additional District and Sessions Judge, (PCR), Madurai.

(ii) The appellant and the sureties shall file an affidavit before the respondent police that the appellant will not misuse this liberty and will not indulge in any further offence and he will be available for the trial. The appellant as undertook by him shall deposit a sum of Rs.10,000/- (Rs.Ten Thousand) to the credit of the crime number in 181 of 2026.



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(iii) The appellant shall appear before the respondent police daily at 10.30 am.

(iv) If the appellant changes his residence, the same shall be informed to the respondent police immediately with correct address.

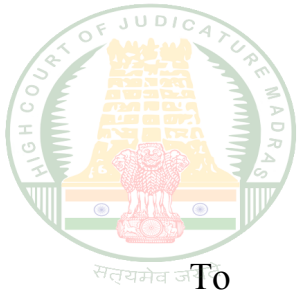
(v) If the appellant violates any of the conditions, the respondent police shall move an application to cancel the order of suspension of sentence of imprisonment.

9. Considering the nature of the injury suffered by the appellant, without prejudice the defence of the appellant, before the trial court, this court permits the defacto complainant to file necessary application before the trial court and withdraw the amount of Rs.10,000/-, to be deposited by the appellant, for his medical expenses.

10. In the result, this appeal is allowed and the order passed by the learned III Additional District and Sessions Judge, (PCR), Madurai in CrMP.No.245 of 2026 dated 25.06.2026 is set aside.

24.07.2026

DSK



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To

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- 1.III Additional District and Sessions Judge (PCR),
Madurai.
- 2.The Inspector of Police,
K.Pudur Police Station,
Madurai District.
- 3.The Superintendent,
Central Prison,
Madurai.

Copy to

The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.,

DSK

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