



CRL OP(MD). No.17297 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/08/2026

PRESENT

The HONOURABLE **MR. JUSTICE K.MURALI SHANKAR**

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1. Manipal,
S/o.Chinnaa Alagar,
No.12e2,Karuppaiah Kovil Street,
Pangalapatti,
Keela Vadakarai,
Periyakulam Taluk,
Theni District..

2. Mohan Kumar,
S/o.Maharajan,
Periyar Colony,
Bangalapatti,
Periyakulam..

... Petitioners/A1 and A5

Vs

The State of Tamilnadu Rep BY,
The Inspector of Police,
Periyakulam Police Station,
Theni District.
(Crime No.368 of 2026).

... Respondent/Complainant

For Petitioner : Ms.M.Anbarasi,
Advocate.

For Respondent : Mr.N.Balasubramanian,
Counsel for State of TN (Crl.Side)



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PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- C-31B. For Bail in Crime No.368 of 2026 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 and A5, who were arrested and remanded to judicial custody on 29.07.2026 for the offences punishable under Sections 191(2), 191(3), 126(2), 296(b), 118(1) and 351(3) of BNS, 2023, @ Sections 191(2), 191(3), 126(2), 296(b), 118(1), 351(3) and 109(1) of BNS, 2023, in Crime No.368 of 2026, on the file of the respondent police, seek bail.

2.The case of the prosecution is that on the date of occurrence, the petitioners and other accused unlawfully assembled with a deadly weapon, wrongfully restrained the defacto complainant, abused him and also attacked him with an Aruval and caused injuries to him. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence



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as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that the injured has been discharged from the hospital. The petitioners are in judicial custody from 29.07.2026. He would further submit that the co-accused were granted anticipatory bail by the Sessions Court. Hence, he prayed to grant bail to the petitioners.

4.The learned Counsel for State of Tamil Nadu (Crl.Side) appearing for the respondent would submit that the accused persons attacked the defacto complainant and caused injuries to him. He would further submit that the first petitioner has four previous cases to his credit and the second petitioner has no previous cases. Though the injured person has already been discharged from the hospital, considering the grave nature of offence, he strongly opposed to grant bail to the petitioners.

5.Since the first petitioner has four previous cases, this Court is not inclined to grant bail to the first petitioner. Accordingly, this Criminal Original Petition stands dismissed in respect of the first petitioner alone.



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5.Considering the above facts and circumstances, nature of offence levelled against the second petitioner and also the facts that the second petitioner is in judicial custody from 29.07.2026 and that the injured was discharged from the hospital, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, this Criminal Original Petition is partly allowed and the second petitioner is ordered to be released on bail on his executing 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 Judicial Magistrate, Periyakulam, and on further conditions that;**

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the second petitioner shall report before the respondent Police daily at 10.30 a.m., for a period of one month and thereafter as and when required for interrogation;



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(iii)the second petitioner shall not tamper with evidence or witness;

(iv)the second petitioner shall not abscond during trial;

*(v)On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the second petitioner in accordance with law as if the conditions have been imposed and the second petitioner 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]**;*

(vi)If the accused thereafter abscond, a fresh FIR can be registered under Section 269 BNS, 2023.

(K M S J)
13.08.2026

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TO

- 1.The learned Judicial Magistrate, Periyakulam.
2. The Officer-in-Charge, Sub Jail, Theni.
- 3.The Inspector of Police,
Periyakulam Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K.MURALI SHANKAR,J.,

vsg

ORDER
IN
CRL OP(MD) No.17297 of 2026

Date : 13/08/2026