WEB COPY

Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.10.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.30935 of 2026

CNR: {HCMA012565642026}

1. Monika
2. Ushanandhini

..Petitioners

Vs

The State Rep by the Inspector of Police,
Mayiladuthurai Police Station, Mayiladuthurai
District.
Crime No.817 of 2026.

..Respondent

PRAYER: To enlarge the petitioners on bail in Crime No.817 of 2026 on the file of the Respondent Police.

For Petitioners : Mr.S.Esakkimuthu
For Respondent : Mrs.R.S.Indira,
Additional Public Prosecutor.

ORDER

The petitioners, who were arrested and remanded to judicial custody on 07.09.2026 for the alleged offences punishable under Sections 296(b), 118(1), 103, 351(3), and 61(2) of the Bharatiya Nyaya Sanhita (BNS), 2023, Section 4 of the Tamil Nadu Prohibition of Harassment of Women (TNPHW) Act, and Section 4 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No. 817 of 2026 on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 06.09.2026 at about 05:00 P.M., the petitioners, arrayed as A2 and A4, along with other co-accused, visited the

https://www.mhc.tn.gov.in/judis

WEB COPY

Order QR

residence of the de facto complainant and demanded an exorbitant interest amount of Rs.40,000/-. When the transaction was questioned by A3 (an individual present at the scene), the prime accused A1 abused her in filthy language and assaulted her. Subsequently, the accused persons attacked the de facto complainant's husband with deadly weapons, including an iron rod and a wooden log, inflicting fatal injuries which resulted in his death. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent of the allegations and have been falsely implicated in this case. He further submitted that the primary overt acts of physical assault and abuse are directed only against the co-accused A1. He contended that the petitioners have been languishing in judicial custody since 07.09.2026 and are ready to abide by any stringent conditions imposed by this Court.

4. The learned Additional Public Prosecutor appearing for the respondent state strongly opposed the grant of bail, highlighting the shocking and heinous nature of the offense where an innocent man lost his life over an illegal loan sharking demand. She submitted that the petitioners were actively present at the scene of the occurrence, acting in furtherance of a common intention to assault the victim with weapons. She, however, admitted that the principal overt act of causing the fatal injuries is attributed to A1.

5. Hearing the learned counsel on either side and perusing the materials available on record, it is observed that while the accusation involves a grave

https://www.mhc.tn.gov.in/judis

WEB COPY

charge of murder under Section 103 of the BNS, the primary and specific overt acts of delivering the fatal blows are directed against the co-accused A1. Considering the role attributed to the present petitioners (A2 and A4), the period of incarceration undergone by them from 07.09.2026, and the fact that the substantial part of the investigation has already been carried out, this Court is inclined to grant bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail on their 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 **District and Sessions Judge, Mayiladuthurai,** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioners shall report before the respondent police daily at 10:30 A.M. until further orders;

[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 aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the

https://www.mhc.tn.gov.in/judis

WEB COPY

Order QR

N.RAMESH, J.

kmm

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)13 SCC 283];**

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

23.10.2026

kmm

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 District and Sessions Judge,, Mayiladuthurai.
2. The Superintendent, Sub Jail, Mayiladuthurai.
3. The Inspector of Police, Mayiladuthurai Police Station, Mayiladuthurai District.
4. The Public Prosecutor, High Court of Madras.

CRL.O.P.No.30935 of 2026

https://www.mhc.tn.gov.in/judis