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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 34586 of 2026

1.Sundaramoorthy,
S/o.Sethuraman

2.Vairamuthu,
S/o.Baskar ...Petitioners/Accused Nos.1&3

Vs

The State Represented by,
The Inspector of Police,
Mayiladuthurai Police Station,
Mayiladuthurai District. ...Respondent/Complainant
(Crime No.477 of 2026)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Cr.No.817 of 2026 on the file of the respondent police.

For Petitioner(s): M/s.M.Mahalakshmi

For Respondent(s): Mr.M.M.I.Khaleel,
Govt.Advocate (Crl.Side)

O R D E R

The Petitioners, who were arrested and remanded to judicial custody on 07.09.2026 for the alleged offence under Sections 296(b), 118(1), 103, 351(3), 61(2) of BNS Act & 4 of TNPHW Act & 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No.817 of 2026 on the file of the respondent police, seeks bail.

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2. It is a case of murder over a loan. The petitioners are arrayed as 1&3. According to the prosecution is that on 06.09.2026, the petitioners and other accused allegedly demanded interest on a loan of Rs.40,000/-, abused and assaulted the de-facto complainant and her family members with wooden logs and iron rods, and threatened them with dire consequences. Subsequently, the de-facto complainant's husband died. Hence, the respondent police registered the present case against the petitioners and the other accused.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. He further submitted that the petitioners have been in judicial custody since 07.09.2026. He also further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioners.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the petitioners, along with the other accused, had allegedly assaulted the de-facto complainant and her family members with wooden logs and iron rods over a loan interest dispute, resulting in the death of the de-facto complainant's husband. He further submitted that the investigation has been completed and the charge sheet is filed. Hence, he opposed the grant of bail to the petitioners.

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5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. Considering the facts and circumstances of the case, the nature of the allegations and the period of incarceration already undergone by the petitioners, this Court is inclined to grant bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- each (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., for a period of 30 days and thereafter as and when required for interrogation;**
>
> [c] the petitioners shall not abscond either during investigation or trial;

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[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 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.

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

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N.RAMESH, J.

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