



CRL OP(MD). No.4666 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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- 1.Tamilarasan
- 2.Nithya
- 3.Suresh
- 4.Rajeswari
- 5.Chinnaiyan
- 6.Ayyanar
- 7.Jeyasuriyan @ Surya
- 8.Sankar @ Samiyar
- 9.Arumugam
- 10.V.Veeranathan
- 11.Senthil Kumar
- 12.Balasubramaniam
- 13.Saraswathi

... Petitioners / Accused
Rank Not Known

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Thallakulam Police Station,
Madurai District.
(Crime No.113 of 2026)

... Respondent / Complainant



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PRAYER :-Criminal Original Petition filed under Section 482 of the BNSS, 2023, to enlarge the petitioners on bail in the event of arrest in Crime No.113 of 2026 on the file of the respondent police or on their appearance.

For Petitioners : Mr.S.Nirmal Kumar

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

For Intervener : Mr.B.Vignesh

ORDER : The Court made the following order :-

The petitioners/accused, who apprehend arrest at the hands of the respondent police in Crime No.113 of 2026 for the offences punishable under Sections 296(b), 126, 189, 109, 351 and 300 of the Bharatiya Nyaya Sanhita, 2023, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is presently serving as the Secretary of an association namely *Madurai Mutharaiyar Pothunala Sangam*, which has been functioning smoothly. While so, it is alleged that the petitioners did not allow the defacto complainant and his relatives to participate in the worship of Lord Kallalagar in the association hall for *Swami Dharshan*. It is further



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alleged that the petitioners abused them using filthy language and assaulted them, thereby causing mental stress to the defacto complainant.

Thereafter, the defacto complainant lodged a complaint before the respondent police through post on 14.05.2025, which was not acted upon. Subsequently, the petitioner preferred a complaint by invoking the jurisdiction under Section 156(3) Cr.P.C. before the learned Judicial Magistrate No.II, Madurai. Pursuant to the direction issued by the said Court, the respondent police registered the present case in Crime No.113 of 2026 for the above allegations.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and that they have not committed any offence as alleged by the prosecution. He further submitted that a false case has been registered against the petitioners due to a dispute between the management and the petitioners, and that the offence under Section 351 of the BNS is not made out. Hence, he prayed for the grant of anticipatory bail to the petitioners.



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4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the accused persons attempted to illegally take over the management of the said Sangam. He further submitted that no one sustained any injury in the said occurrence. Hence, he objected to the grant of anticipatory bail to the petitioners.

5. The learned counsel for the defacto complainant opposed the grant of anticipatory bail to the petitioners by reiterating the submissions made by the learned Additional Public Prosecutor.

6. This Court heard the learned counsel on either side and perused the materials placed on record.

7. Considering the facts and circumstances of the case and the fact that no one was injured, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

8. Accordingly, this petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance,



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within a period of fifteen days from the date on which the order made ready, before the learned Judicial Magistrate Court No.II, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs. 10,000/-(Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

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

(b) the petitioners shall appear and sign before the respondent police daily at 10.30 a.m. for a period of fifteen (15) days and thereafter, as and when required for interrogation. They have to co-operate for the investigation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the



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learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the 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) AIR SCW 5560]***; and

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

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To

- 1.The Judicial Magistrate Court No.II,
Madurai.
- 2.The Inspector of Police,
Thallakulam Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J.

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ORDER
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