



CRL OP(MD). No.4850 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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1.Muthuselvan
2.Praveen Kumar
3.Komesh @ Komeshwaran
4.Santhosh Kumar
5.Jeevanantham @ Sivanantham
6.C.Vicky @ Viknesh Kumar

... Petitioners /
A2, A3, A5, A8 to A10

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Jayamangalam Police Station,
Theni District.
(Crime No.90 of 2026)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 483 of the BNSS, 2023, to enlarge the petitioner on bail in Crime No.90 of 2026 on the file of the respondent police.

For Petitioners : Mr.S.Vikram,
Advocate



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

ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 17.02.2026 for the offences punishable under Sections 191(2), 191(3), 296(b), 118(1) and 109 of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 147, 148, 294(b), 324 and 307 of IPC), in Crime No.90 of 2026 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the defacto complainant, one Murugesan, son of Thangapandi, was married to Senrai Ammal and they have two sons, namely Thangapandi and Palpandi, and a daughter by name Swathi. The elder son, Thangapandi, is working as a mason, while the second son, Palpandi, is a physically challenged person residing at home. The daughter, Swathi, has studied up to 8th standard and is also residing with the family. In the meanwhile, a relative of the defacto complainant, namely Karuppasamy, had conducted a function at his house, which was attended by the elder son Thangapandi. About three months prior to the occurrence, Gobi, Arjun and Mani, belonging to



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Uthamapalayam, had a dispute with accused persons. Bearing the said dispute in mind, on 16.02.2026 at about 07.15 p.m., while the defacto complainant was proceeding to attend the Vasantha Vizha festival at the house of the said Karuppasamy on CSI School Street, the accused persons came there armed with knives, axes and clubs and shouted that the complainant was a big man and had caused trouble to their family. When one accused person attempted to attack the complainant's son with a sickle, the son tried to ward off the attack with his hand. At that time, some other accused persons attacked him on the head with axes, causing a bleeding injury, while the other accused assaulted him with clubs, causing further injuries to his body. On seeing this, the defacto complainant raised an alarm, upon which the accused persons fled from the scene. Thereafter, the injured Thangapandi, who was lying unconscious in a pool of blood, was taken to the Kanavilakku Government Hospital through a 108 ambulance for treatment. Hence, the present case has been registered for the aforesaid offences.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and that they have not committed any



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offence as alleged by the prosecution. He further submitted that there was only a wordy quarrel between the parties, which led to an altercation, and that the injured has been discharged from the hospital. Hence, he sought the grant of bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that there are 3, 3, 5, 2 and 1 previous cases against the petitioners respectively and that a counter case has also been registered. He further submitted that the injured has already been discharged from the hospital. He also submitted that if the petitioners are released on bail, they may threaten the defacto complainant. Hence, he objected to the grant of bail to the petitioners.

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

6. Considering the fact that a case and counter case have been registered, and also considering the fact that the injured has been discharged from the hospital, and taking into account the period of incarceration already undergone by the petitioners, this Court is inclined



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to grant bail to the petitioners, subject to certain conditions.

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7. Accordingly, the petition is allowed and the petitioners are ordered to be released on bail on executing 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 learned Judicial Magistrate Court, Periyakulam, 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 Aadhaar card or bank pass book to ensure their identity;

[b] the petitioners shall stay at Madurai District and report before the Inspector of Police, Tallakulam Police Station, Madurai District daily at 10.30 a.m until further orders;

[c] the petitioners shall not tamper with the evidence or witness either during investigation or trial;



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[d] the petitioners shall not abscond either during

investigation or trial;

[e] On breach of any of the aforesaid conditions, the 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 are 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 absconds, a fresh FIR can be registered under Section 269 BNS.

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

Copy To

The Inspector of Police,
Tallakulam Police Station,
Madurai District.



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K.K.RAMAKRISHNAN,J.

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ORDER
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