



CRL OP(MD). No.5516 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE P.DHANABAL

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K.Manikandan

... Petitioner / Accused No.1

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Kayathaur Police Station,
Thoothukudi District.
(Crime No.87 of 2019)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 483 of the BNSS, 2023, to enlarge the petitioner on bail in S.C.No.645 of 2025 on the file of the learned District and Sessions Court (Communal Clash Cases), Madurai District in Crime No.87 of 2019 on the file of the respondent police.

For Petitioner : Mr.K.Palmurugan,
Advocate

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



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ORDER : The Court made the following order :-

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The petitioner/accused, who was arrested and remanded to judicial custody on 19.01.2026 for the offences punishable under Sections 294(b), 324, 307 and 506(i) of IPC, in Crime No.87 of 2019 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, on 21.04.2019 at about 11.45 p.m., the petitioner, along with some other accused persons, abused the defacto complainant in filthy language and assaulted him, causing injuries. Thereafter, the defacto complainant was admitted to the hospital. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and has not committed any offence as alleged by the prosecution. He would further submit that bail had already been granted to the petitioner earlier. Thereafter, the petitioner was unable to appear before the Trial Court due to illness, and hence, a non-bailable warrant was issued against him. On 19.01.2026, the petitioner voluntarily surrendered and filed a petition to recall the non-bailable



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warrant. However, the said petition was dismissed and he was remanded to judicial custody. He would also submit that the earlier bail application was dismissed as not pressed on 30.01.2026. He would further submit that the petitioner has been in judicial custody since 19.01.2026. Hence, he seeks grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner has been arrayed as A1. He would further submit that the trial has commenced and all the witnesses have been examined except the Investigating Officer. He would further submit that there are five previous cases against the petitioner. Therefore, he opposed the grant of bail to the petitioner.

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

6. Considering the rival submissions made by the learned counsel on either side, the nature of the offence, the fact that though the petitioner has some previous cases in which bail has been granted to him, and that in the present case also bail had already been granted earlier, and



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also considering the period of incarceration already undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petition is allowed and the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned District and Sessions Court (Communal Clash Cases), Madurai, and on further conditions that :-

[b] the petitioner shall report before the Trial Court on all working days at 10.30 a.m. till the disposal of the case;

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from



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disclosing such facts to the Court or to any police officer or
tamper with the evidence;

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

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

24.03.2026

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To

- 1.The District and Sessions Court (Communal Clash Cases),
Madurai.
- 2.The Superintendent,
Central Prison,
Madurai.
- 3.The Inspector of Police,
Kayathaur Police Station,
Thoothukudi District.

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4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL,J.

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ORDER
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