



CRL OP(MD). No.6838 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 10/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.6838 of 2026

1. Mustak Ahamed
2. Mohammed Hisham

... Petitioners/ Accused No.1&2

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Anna Nagar Police Station,
Madurai District.
Crime No. 96 of 2026.

... Respondent/Complainant

PRAYER :-

For Bail in Crime No. 96 of 2026 on the file of the respondent Police.

For Petitioner : K.Jeyamohan,
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

ORDER : The Court made the following order :-

The petitioners / Accused, who were arrested and remanded to



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judicial custody on 24.02.2026 for the offences punishable under Sections 127(2), 191(2), 191(3), 115(2), 118(1), 109 of BNS @ 127(2), 191(2), 191(3), 115(2), 118(1) & 103(1) of BNS, in Crime No.96 of 2026 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the complainant is the wife of the deceased. The deceased was running a business in the name of 'Thai Store' at Andalpuram and also indulged in a broker business and car hiring etc., In such circumstances, the deceased along with his friends has hired a car from A4 and subsequently, it was mortgaged by the deceased with A1. On knowing the same, the owner of the vehicle, A4 and his friends called the deceased and his friends for compromise talk on 11.02.2026 and at that time, there was some wordy altercation between them. At that time, the petitioner and the other accused are said to have brutally attacked the deceased with a wooden log and their hands and caused multiple injuries all over the body. Immediately, he was taken to the Muthukulathur Government Hospital, and thereafter, shifted to Ramanathapuram Government Hospital for further treatment on 13.02.2026 and in the hospital, he died on 18.02.2026. Hence, the

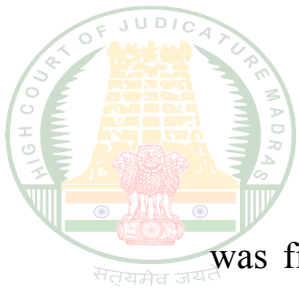


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respondent police registered a case against the accused for the aforesaid offences and arrested the petitioners. Hence, this petition.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they were falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He would further submit that the investigation was completed and they have no previous case and he has been arrested and remanded to judicial custody on 24.02.2026. Therefore, prayed to grant bail for the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that there are totally 12 accused are involved in this case. The petitioners are arrayed as A1 & A2. A4 is the owner of the car. The deceased hired a car from A4 and subsequently, mortgaged the same with A1 without the knowledge of A4. In that dispute, the accused are brutally attacked the deceased and caused death to him and hence, he strongly opposed to grant bail to the petitioners. However, he fairly conceded that already the investigation was completed and final report



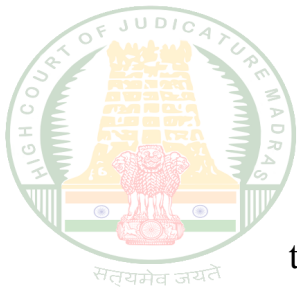
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was filed before the concerned Court and no previous case is pending against the petitioners.

5. This Court heard both sides and perused the materials available on record.

6. Considering the rival submissions made by the learned counsel on either side, nature of offence, and already the investigation was completed and final report was filed before the concerned Court, and no previous case is pending against the petitioners and considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to 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 Judicial Magistrate Court No.VI, Madurai, and on further conditions



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that:

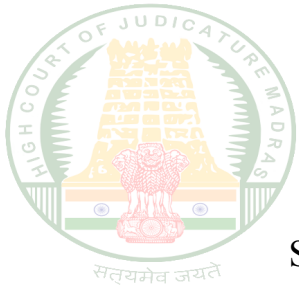
[b] the petitioners shall report before the trial Court on all working days at 10.30 a.m., until further orders;

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

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

[e] the petitioners 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 her from 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 Judicial 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.



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State of Kerala [(2005)AIR SCW 5560].

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

(P D B J)
10.04.2026

dss

To

- 1.The Judicial Magistrate Court No.VI,
Madurai.
- 2.The Inspector of Police,
Annanagar Police Station,
Madurai City.
3. The Superintendent, Central Prison, Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL,J

DSS

ORDER
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