



CRL OP(MD). No.6713 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 07.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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1. Jayakumar
2. Mariyammal

...Petitioners/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Orathanadu Police Station,
Thanjavur District
(Crime No. 26 of 2026)

...Respondent/Complainant

For Petitioners : M/s.Banumathy
For Respondent : Mr.B.Nambi Selvan
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 26 of 2026 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners / A3 and 5, who were arrested and remanded to judicial custody on 25.01.2026 for the offences punishable under Sections Women Missing @ 103(1), 140(1), 238(b), 49, 60(a) of BNS Crime No.26 of 2026 on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 09.01.2026 the deceased had left her residence to collect pongal gift distributed through the ration ship and thereafter went missing. Thereafter the sister of the deceased lodged complaint before the respondent police and case was registered as woman missing. During the course of investigation it was found that the victim was kidnapped and murdered by setting her ablaze by the accused persons.. Hence the case.

3. The learned counsel for the petitioners would submit that the respondent police has registered a false case against the petitioners and they have not committed any offence as alleged by the prosecution. He would further submit that no previous case is pending against the petitioners. The petitioners have been arrested and remanded to judicial custody on 25.01.2026. Hence, he prays to grant bail to the petitioners.



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4. The learned Additional Public Prosecutor appearing for the respondent would submit that the accused persons have victim was kidnapped and murdered by setting her ablaze. The offence is grave in nature and there are materials available as against the petitioners. Hence, he opposed to grant bail to 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 and also the considering the fact that the investigation is almost completed and no previous case is pending against the petitioners and also taking into consideration the period of incarceration suffered 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



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each for a like sum to the satisfaction of the learned Judicial Magistrate, Orathanadu and on further conditions that:

[b] the petitioners shall report before the respondent police daily 10.30 a.m., until further orders.

[c] the petitioners shall not commit any offence similar to the offence of which they are accused, or suspected, or of the commission of which they are 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. 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)

07.04.2026

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To

- 1.The Judicial Magistrate, Orathanadu
- 2.The Inspector of Police,
Orathanadu Police Station,
Thanjavur District
3. The Superintendent, District Jail Pudukottai
4. The Superintendent, Central Jail, Trichy
- 5.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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