



CRL OP(MD). No. 6817 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 6817 of 2026

1.Boominathan
2.Vilvadurai

...Petitioners/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Devakottai Town Police Station,
Sivagangai.
(Crime No. 68 of 2026)

...Respondent/Complainant

For Petitioners : Mr.S.Manoj Kumar
for Mr.A.Abdulkabur
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 68 of 2026 on the file of the respondent police.



CRL OP(MD). No. 6817 of 2026

ORDER : The Court made the following order :-

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The petitioners / Accused, who were arrested and remanded to judicial custody on 23.03.2026 for the offences punishable under Sections 191(2), 191(3), 296(b), 115(2), 118(2) and 109(1) of BNS, 2023 in Crime No. 68 of 2026 on the file of the respondent police, seek bail.

2. The case of the prosecution is that due to previous enmity between the defacto complainant and the petitioners, on 22.03.2026, the petitioners and other accused illegally gathered with deadly weapon and committed riot and attacked the defacto complainant and two other victims by using sickle and wooden log with an intention to murder the defacto complainant. Based on the complaint lodged by the defacto complainant, the petitioners have been arrayed as A2 and A3, respectively. Hence the case.

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 they have been arrested and



CRL OP(MD). No. 6817 of 2026

remanded to judicial custody on 23.03.2026. Therefore, prayed to grant bail for the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that based on the complaint lodged by the defacto complainant, the case has been registered under Sections 191(2), 191(3), 296(b), 115(2), 118(2) and 109(1) of BNS, 2023 in Crime No. 68 of 2026. He would further submit that the injured was discharged from the hospital and the first petitioner has five previous cases and the second petitioner has no previous case. He would further submit that the investigation is pending and the offences are grave in nature and hence, he strongly 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, nature of offence, and considering the facts that there is a dispute between the parties and the injured was discharged from the



CRL OP(MD). No. 6817 of 2026

hospital and though the first petitioner has five previous cases, the same are not similar in nature and in all cases, the first petitioner was granted bail and no previous case is pending against the second petitioner and also 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 learned Judicial Magistrate, Devakottai, and on further conditions that:

[b] the petitioners shall report before the respondent police daily at 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;



CRL OP(MD). No. 6817 of 2026

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[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].

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

(P D B J)
08.04.2026

apd



CRL OP(MD). No. 6817 of 2026

To
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1. The Judicial Magistrate, Devakottai.
2. The Inspector of Police,
Devakottai Town Police Station,
Sivagangai.
3. The Superintendent, Sub Jail, Thirupathur.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No. 6817 of 2026

P. DHANABAL, J

apd

ORDER
IN
CRL OP(MD) No. 6817 of 2026

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