



CRL A(MD). No.445 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 22.06.2026

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

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1. Thangapandi
2. Thanga Mariappan
Vs. ... Appellants

1. The State of Tamil Nadu, Rep. by
The Deputy Superintendent of Police,
Cheranmahadevi Sub Division,
Tirunelveli District.

2. The Inspector of Police,
Suthamalli Police Station,
Tirunelveli.
(Cr.No.600/2024)

3. Veluthai ... Respondents

Criminal Appeal filed under Section 14A(1) of SC/ST (POA) Act, 2015, to call for the records pertaining to the order passed by the learned II Additional District Judge (PCR), Tirunelveli, in Cr.M.P.No.76 of 2026, vide order dated 11.02.2026 and set aside the same and consequently, release the appellants on bail in connection the case in S.C.No.21 of 2025.

For Appellants : Mr.B.Mariappan
For R1 and R2 : Mrs.V.Moushica,
Government Advocate (Crl. side)
For R3 : Mr.G.Thalaimutharasu



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JUDGMENT

The appellants are accused Nos.1 and 2 in Cr.No.600 of 2024 and they were arrested and remanded to judicial custody on 26.11.2024, for committing murder of one Muthukrishnan, son of the defacto complainant on 25.11.2024. The appellants were detained under the Act 14 of 1982 and the detention orders were quashed by this Court, by order dated 28.08.2025. In the meantime, the first respondent filed the final report and the same was taken on file in S.C.No.21 of 2025. The trial Court, by its order dated 22.09.2025 in Cr.M.P.No.372 of 2025, granted bail to the appellants, considering the nature of offence, stage of the case and their period of custody. The trial Court, while granting bail to the appellants, imposed a condition that they have to report before the respondent Police station daily once at 9.00 a.m. until further orders. The appellants, without complying with the said condition, have filed a petition in Cr.M.P.No.421 of 2025 seeking modification of the said condition that the Police refused to comply with the condition, however, after releasing from prison, they have appeared before the I Additional District Court, Tirunelveli, on 27.09.2025. Considering the same, the



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trial Court, by its order dated 07.10.2025, modified the earlier condition imposed in Cr.M.P.No.372 of 2025 to the effect that the appellants have to appear before the Court at 3.00 p.m. on all working days until further orders. Thereafter, a non-bailable warrant of arrest was issued by the trial Court for non-compliance of the condition by the appellants. Pursuant to the same, the appellants have been again arrested on 05.11.2025. The appellants moved a bail petition in Cr.M.P.No.76 of 2026 before the trial Court and the same was dismissed by the trial Court by order dated 11.02.2026. Challenging the same, the appellants are before this Court.

2. The learned counsel appearing for the appellants submitted that the defacto complainant's son is practising as an Advocate before the trial Court and therefore, the appellants had a life threat while complying with the condition before the trial Court. According to him, on the influence of the said Advocate, who is the son of the 3rd respondent, the Police did not permit the appellants to comply with the condition and earlier, there was a wordy quarrel between the appellants and the said Advocate.



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3. The learned counsel appearing for the 3rd respondent and the learned Government Advocate (Crl. Side) opposed for grant of bail that the appellants have evaded the process by not complying with the condition before the respondent Police and the modified condition before the concerned Court. The reasoning given by the appellants for not complying with the condition has not been substantiated with any materials. They further submitted that this is a case of murder and the defacto complainant is facing a life threat from the appellants. Therefore, they prayed for dismissal of this appeal.

4. This Court considered the rival submissions made and perused the materials placed on record.

5. The appellants were originally arrested on 26.11.2024 and they were released on bail on 22.09.2025. But, they did not comply with the condition imposed by the trial Court while granting bail. However, the trial Court accepted the reasons assigned and modified the condition directing the appellants to appear before the trial Court daily at 3.00 p.m. The appellants claim that the son of the defacto complainant is practising



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as an Advocate before the trial Court and earlier, there was a wordy quarrel between them.

6. Since the appellants are languishing in jail for a long time and also considering the fact that the appellants have already been granted bail by the trial Court, this Court is inclined to grant bail to the appellants. However, considering their earlier conduct in not complying with the condition imposed by the trial Court, this Court is inclined to impose certain conditions on the appellants.

7. Accordingly, this Criminal Appeal is allowed and the order passed by the learned II Additional District Judge (PCR), Tirunelveli, in Cr.M.P.No.76 of 2026, dated 11.02.2026, is hereby set aside. The appellants are ordered to be released on bail on the following conditions:-

i) The appellants shall execute a bond for a sum of Rs.1,00,000/- (Rupees one lakh only) each with two sureties each for a like sum to the satisfaction of the learned II Additional District Judge (PCR), Tirunelveli. Out of two sureties, one surety must be a Government



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Servant.

ii) The appellants and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address.

iii) The appellants shall stay at Chennai and report before the Triplicane Police Station, Chennai, daily twice, i.e. morning at 10.30 a.m. and evening at 5.00 p.m. until further orders, except the hearing dates before the trial Court. The appellants shall appear before the trial Court on all hearing dates without fail.

iv) The appellants shall not misuse the liberty granted to them by indulging in any further offence. **The appellants shall co-operate for the trial and appear before the trial Court on all hearing dates without fail.**

v) On violation of any of the above conditions by the appellant, the respondent police shall move an application for cancellation of the bail.

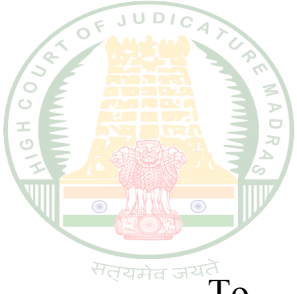
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To
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1. The learned II Additional District Judge (PCR),
Tirunelveli.
2. The Superintendent,
Central Prison,
Palayamkottai.
3. The Deputy Superintendent of Police,
Cheranmahadevi Sub Division,
Tirunelveli District.
4. The Inspector of Police,
Suthamalli Police Station,
Tirunelveli.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The Inspector of Police,
Triplicane Police Station,
Chennai.



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B.PUGALENDHI, J.

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