



CRL OP(MD). No. 7436 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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1.Kabildev

2.Sakthi Bala ...Petitioners/A1 & A2

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.
(Crime No.916 of 2025) ...Respondent/Complainant

For Petitioners:Mr.S.Vishnuvardhan
For Respondent:Mr.B.Nambi Selvan
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 916 of 2025 on the file of
the respondent police.



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ORDER : The Court made the following order :-

The petitioners/A1 and A2, who were arrested and remanded to judicial custody on 26.12.2025 for the offences punishable under Section 103(1) of BNS, in Crime No.916 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the deceased is the son of the defacto complainant. There is a dispute between the deceased and the accused persons with regard to their friend's death the deceased has also spoken about him badly. Due to which, on 24.12.2025, the petitioners and other accused persons conspired together and murdered the deceased. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not involved in



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any offence as alleged in the FIR. There is no specific overt act against the petitioners. They are no way connected with the occurrence and they were falsely implicated in this case. He would further submit that the co-accused was already granted bail by this Court. Therefore, he prayed to grant bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the due to the previous dispute with regard to the death of his friend, the petitioners along with other accused planned and surrounded the deceased and took him to a far away place and attacked him with aruval, due to which, the deceased died on the spot. It is a retaliation murder. Investigation in this case has been completed and charge sheet also filed before the Judicial Magistrate No.II, Thoothukudi and the same was taken cognizance in P.R.C.No.69 of 2026



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and pending for committal proceedings. The first petitioner has 10 previous cases and the second petitioner has two previous cases. Therefore, he vehemently, opposed the grant of bail.

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, considering the fact that the investigation has been completed and charge sheet also filed before the concerned Court and the same is pending for committal proceedings, though the petitioners have some previous cases, the same are not similar kind of offences and in all cases, bail was granted to them and also considering the fact that the co-accused was already granted bail by this Court and period of incarceration of the petitioner from 26.12.2025, this Court is



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inclined to grant bail to the petitioners subject

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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) with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Thoothukudi District**, and on further conditions that:

[b] the petitioners shall report before the **Judicial Magistrate No.II, Thoothukudi, daily at 10.30 a.m., on all working days, 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;



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[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 petitioners/accused
WEB COPY thereafter absconds, a fresh FIR can be
registered under Section 269 BNS.

(P D B J)

16.04.2026

vsg

To

- 1.The Judicial Magistrate No.I,
Thoothukudi District.
- 2.The Judicial Magistrate No.II,
Thoothukudi District.
- 3.The Inspector of Police,
South Police Station,
Thoothukudi District.
- 4.The Superintendent, Central Prison,
Palayamkottai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J.,

vsg

ORDER
IN
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