



CRL A(MD). No.581 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 08.06.2026

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

CRL A(MD)No.581 of 2026

Muthumani

... Appellant

Vs.

1. State of Tamilnadu Rep by
The Deputy Superintendent of Police,
Thirumangalam Sub Division,
Madurai District.

2. The State of Tamil Nadu, rep. by
The Inspector of Police,
Perungudi Police Station,
Madurai District.

3. Balamurugan

... Respondents

Petition filed under Section 14A(2) of SC/ST (POA) Act, 1989, to call for the records relating to the order passed in CrI.M.P.No.180 of 2026 in Spl.S.C.No.98 of 2025 dated 11.05.2026 on the file of the III Additional District and Sessions Court (PCR), Madurai and set aside the same and enlarge the appellant in connection with the case in Crime No. 113 of 2025 on the file of the 2nd respondent Police by allowing the



CRL A(MD). No.581 of 2026

criminal appeal.

WEB COPY

For Appellant : Mr.G.Manikandan
For R1 and R2 : Mr.S.Deenadhayalan,
Counsel for State of Tamil Nadu
(Crl. Side)
For R3 : Mr.B.Sekar
Legal Aid Counsel

JUDGMENT

The appellant is the 2nd accused in Spl.S.C.No.98 of 2025 on the file of the III Additional District and Sessions Court (PCR), Madurai. He was arrested on 28.07.2025 that he along with other accused has committed the murder of one Karumalai. The said case was registered for the offence under Sections 103(1), 109, 118(2), 191(2), 191(3), 296(b), 49 of BNS Act and Section 3(1)(r), 3(1)(s), 3(2)(v), 3(2)(va) of SC/ST (POA) Act 1989. The bail application moved by this appellant was rejected by the trial Court in Crl.M.P.No.180 of 2026 in Spl.S.C.No. 98 of 2025 dated 11.05.2026. Aggrieved against the same, the appellant has filed this Criminal Appeal.



CRL A(MD). No.581 of 2026

2. This Court, on 20.05.2026, ordered notice to the 3rd respondent/defacto complainant, however, the defacto complainant has not entered appearance. Therefore, this Court, by order 29.05.2026, directed the Registry to take necessary steps for appointment of a Legal Aid Counsel to represent the defacto complainant.

3. The learned counsel appearing for the defacto complainant submits that he is not in a position to get instructions and they are not inclined to provide any instructions to him and therefore, he has expressed his difficulties in representing the appeal.

4. The learned counsel for State of Tamil Nadu (Crl. Side) has raised serious objection that it is a case of retaliation murder. According to him, one Muneeswaran, the brother of the 1st accused was murdered in the year 2024. As a retaliation, this murder had been taken place. He further submits that the appellant is having two previous cases, which are relating to the offence under Section 506(ii) IPC. Therefore, he opposed for grant of bail.



CRL A(MD). No.581 of 2026

WEB COPY

5. The learned counsel for the appellant submits that this appellant is innocent and he was not present in the scene of occurrence. However, he is added as an accused that he is the friend of the 1st accused. The learned counsel by referring to the FIR submits that the defacto complainant in his complaint stated that he along with the deceased and 11 others committed the murder of one Muneeswaran and this occurrence had taken place as a retaliation murder. The learned counsel further submits that in this case, totally, there are 12 accused, out of which, three are juveniles and the co-accused, namely, accused Nos.4, 5 and 7 have been granted bail by the trial Court. The learned counsel has placed the order copy before this Court. He further submits that the appellant is prepared to stay away from the place of occurrence.

6. This Court considered the rival submissions made.

7. The appellant was arrested on 28.07.2025 and he is in jail for the past 300 days. The co-accused, namely, A4, A5 and A7 have been granted bail by the trial Court. In this case, the investigation was completed and final report has also been taken on file, however, trial is



CRL A(MD). No.581 of 2026

yet to be commenced. Considering the period of incarceration undergone by the appellant and since the final report has been taken on file, this Court is inclined to grant bail to the appellant with certain conditions.

8. Accordingly, this Criminal Appeal is allowed and the order passed by the learned III Additional District and Sessions Court (PCR), Madurai, in Crl.M.P.No.180 of 2026, dated 11.05.2026 is hereby set aside. The appellant is ordered to be released on bail on the following conditions:-

i) The appellant shall execute a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the III Additional District and Sessions Court (PCR), Madurai;

ii) The appellant 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 appellant shall stay at Chennai and report before the Inspector of Police, Flower Bazaar Police Station, Chennai, daily at 10.30 a.m., until further orders, except the hearing dates. The appellant shall appear before the trial on all hearing dates without fail;



WEB COPY



CRL A(MD). No.581 of 2026

iv) The appellant shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The appellant shall co-operate for the trial;

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

08.06.2026

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Index : Yes / No.

Internet: Yes / No.

NCC : Yes / No.

To

1. The III Additional District and Sessions Court (PCR),
Madurai.
2. The Superintendent,
Central Prison,
Madurai.
3. The Deputy Superintendent of Police,
Thirumangalam Sub Division,
Madurai District.



CRL A(MD). No.581 of 2026

4. The Inspector of Police,
Perungudi Police Station,
Madurai District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

6. The Inspector of Police,
Flower Bazaar Police Station,
Chennai.



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CRL A(MD). No.581 of 2026

B.PUGALENDHI, J.

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CRL A(MD) No.581 of 2026

08.06.2026