



CRL OP(MD). No.9647 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/05/2026

PRESENT

The HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

CRL OP(MD). No.9647 of 2026

Pethuraj

... Petitioner/Accused

Vs

State of Tamilnadu Rep by
Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
Cr.No.240/2026.

... Respondent/Complainant

For Petitioner : Mr.D.Rajaboopathy,

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 240/2026 on the file of the respondent Police.

1/6



CRL OP(MD). No.9647 of 2026

ORDER : The Court made the following order :-

WEB COPY

The petitioner, who was arrested on 11.04.2026 for the offences punishable under Sections 296(b), 115(2), 118(1), 109(1) of BNS Act @ 296(b), 103(1) of BNS Act, in Crime No.240 of 2026 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is the brother of the deceased, the petitioner and the other co-accused are their neighbours. Owing to previous enmity, on 10.04.2026 at about 08.00 p.m., a quarrel arose between the parties and the accused persons allegedly assaulted the deceased with a beer bottle and a knife, due to which the deceased died. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any such offence as alleged by the prosecution. He has been falsely implicated in this case. He would further submit that he has been remanded to judicial custody on 11.04.2026. Therefore, prayed to grant bail for the petitioner.



CRL OP(MD). No.9647 of 2026

WEB COPY

4. The learned Additional Public Prosecutor appearing for the respondent would submit that due to the assault made by the accused persons, the deceased died. He would further submit that the investigation is pending, the offences are grave in nature and hence, he strongly opposed to grant bail to the petitioner.

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 period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, this Criminal Original Petition is allowed and the petitioner is 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



CRL OP(MD). No.9647 of 2026

*the learned **Judicial Magistrate, Aundipatti, Theni***

***District** and on further conditions that:*

*[b] the petitioner shall report before the respondent police **on every Monday at 10.30 a.m., until further orders.***

[c] the petitioner 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;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner 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



CRL OP(MD). No.9647 of 2026

the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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.

(R V J)
20.05.2026

PNM

TO

1. The Judicial Magistrate. Aundipatti.
2. Do-Through The Chief Judicial Magistrate,
Theni District.
3. The Superintendent, District Jail, Thegampatti, Theni District.
4. Inspector of Police,
Kadamalaikundu Police Station, Theni District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL OP(MD). No.9647 of 2026

R.VIJAYAKUMAR,J

PNM

ORDER
IN
CRL OP(MD) No.9647 of 2026

Date : 20/05/2026