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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23-10-2026

CORAM

THE HON'BLE DR.JUSTICE P.MURUGAN

CRL OP(MD) No. 24210 of 2026

CNR:{HCMD011531552026}

1. Murugesan
   S/o.Selvam,
   No.12A1,
   C.Pudur,
   Ammainaickanur,
   Nilakottai Taluk,
   Dindigul District-624 201.

2. Dhinesh
   S/o.Dharmar,
   No.12A1,
   C.Pudur,
   Kodai Road,
   Ammainaickanur,
   Nilakottai Taluk,
   Dindigul District-624 201.

..Petitioner(s)

Vs

The State Of Tamilnadu Rep By The Inspector Of Police, Karimedu Police Station,
Madurai City. (Crime No.410 of 2026)

..Respondent(s)

PRAYER: C-31B. For Bail in Crime No. 410 of 2026 on the file of the respondent Police.

For Petitioner(s): M/s M/s. C. Bharathiraja
M/s J.Krishnakannan
M/s Muthu M

For Respondent(s): Mr.A.Robinson
Additional Public Prosecutor,

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ORDER : The Court made the following order :-

The petitioners / accused 1 and 2, who were arrested and remanded to judicial custody on 02.10.2026 for the offences punishable under Sections 137(1)(b), 140(1) and 351(3) of BNS, 2023, in Crime No.410 of 2026, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the *defacto* complainant is residing with her maternal grandmother, Selvi and her two children. In the year 2021, she married one Rajaram and they got separated due to difference of opinion. In the year 2023, she got married with one Vijay and again she got separated. After that the first petitioner and the *defacto* complainant had developed an affair through Instagram and he used to pick her children from school. While so, A1 morphed some photographs of the *defacto* complainant's relative Hema and threatened her to have physical relationship. When the same was questioned by the *defacto* complainant, he had threatened her that he would upload their intimate photographs in social media and demanded her to maintain a physical relationship, which was refused by her. On 01.10.2026, A1 kidnapped the *defacto* complainant's children and left them with

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the custody of A2 and threatened her to have physical relationship with him, failing which, he would murder them. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in the above case and that they are is no way connected with the alleged crime. Hence, prays to grant bail.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the accused persons had kidnapped the children of the *defacto* complainant and A1 threatened her to have physical relationship with him. Hence, prays to dismiss the petition.

5. Considering the above facts and circumstances and also the facts that the petitioners are in judicial custody from 02.10.2026 and that the petitioners are not having any previous cases for similar offence, this Court is inclined to grant bail to the petitioners.

6. Accordingly, the petitioners is ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum

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to the satisfaction of the learned **Judicial Magistrate No.V, Madurai**.

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] On execution of the surety, the accused are directed to appear before the ***learned Judicial Magistrate No.V, Madurai***, for a period of 15 working days at 10.30 am. Thereafter, the accused shall appear before the said Court on every Wednesday at 10.30 am for a period of 10 weeks;

[c]In the event that the accused are unable to appear before the said Court, the counsel for the accused may file accused absence petition on behalf of the accused under Section 355 of BNSS, and the same may be considered by the Court;

[d] In the event that neither the accused appear nor their counsel file any such accused absent petition, the Court has to issue a Non Bailable Warrant against the accused and secure them and commit them to custody**;**

[e] If the accused thereafter absconds, a fresh FIR shall be registered under Section 269 BNS,

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2023;

[f]If the investigating agency requires the presence of the accused, after the execution of the bail bond, the Investigating Officer has to issue a summons to the accused for interrogation. However, the interrogation should not amount to harassment of the accused. The issuance of the summons to the accused and the interrogation of the accused should be reflected in the CD file as well as in the General Diary. The said exercise shall be done by the Investigating Officer at once or twice during the daytime. Once the purpose of the interrogation is over, the accused shall be sent out from the police station without any further delay;

[g] On compliance of the above conditions for appearance of the accused all the conditions referred above shall stand relaxed;

[h]the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[i] the petitioners shall not abscond either during investigation or trial;

[j] On breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have

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been imposed and the petitioners are 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].**

(P M N J)
23.10.2026

PNM/KU

TO

1. The Judicial Magistrate No.V, Madurai

2. The Superintendent, Central Prison, Madurai

3. The Inspector of Police, Karimedu Police Station,
   Madurai City.

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

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DR.P.MURUGAN, J.
PNM

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