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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. 24203 of 2026

CNR:{HCMD011532132026}

Vinoth,
S/o. Murugan,
No.4/4, Valavanthamman Kovil Street,
Manimorthesswaram,
Tirunelveli District.
Cr.No.332 of 2026.

..Petitioner

Vs

The State of Tamilnadu,
Rep. by its Inspector of Police,
Thatchanallur Town Police Station,
Tirunelveli District.
Cr.No.332 of 2026.

..Respondent

PRAYER: For Bail in Crime No. 332 of 2026 on the file of the respondent police.

For Petitioner : Mr.S.Vikraman

For Respondent : Mr.A.Robinson
Additional Public Prosecutor,

ORDER : The Court made the following order :-

The petitioner/A5, who was arrested and remanded to judicial custody on 31.08.2026 for the offences punishable under Sections 126(2), 296(b), 103(1), 351(3) @ 126(2), 191(2), 191(3),

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296(b), 103(1), 351(3), 61(2) of BNS, 2023, in Crime No.332 of 2026, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous dispute between the accused Nos.1 to 3 and the deceased with regard to the arrangements of Kabadi ground, on 30.08.2026 at about 02.40 p.m., the *defacto complainant*, her husband and husband's brother were went to take bath in river towards Krishnakonar Compound, Manimoortheeswaram. At that time, all the accused persons came in a two wheeler, restrained them, A1 attacked the husband of the *defacto complainant* with knife and A2 attacked him with aruval indiscriminately and caused death to him and after that they had given life threat to the *defacto complainan*t with others. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in the above case on the basis of confession of co-accused and that he is no way connected with the alleged crime. He would further submit that the co-accused/A10 was already granted bail by the lower Court. Hence, prays to grant bail.

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4. The learned Additional Public Prosecutor appearing for the respondent police would submit that totally there are 10 accused persons in this case. In this case, A1 to A3 were committed the offence of murder, for that all the accused persons were conspired together. He would further submit that though the petitioner is not having any previous case, considering the serious nature of offence, prays to dismiss the petition. However, he would concede that in this case, investigation is almost completed and waiting for the report from RFSL.

5. Considering the above facts and circumstances and the facts that the only overt act as against the petitioner is that he had conspired with the other accused persons; that the petitioner, who is standing on the same pedestal of A10 has already been enlarged on bail; that the petitioner is in judicial custody from 31.08.2026; that the petitioner is not having any previous cases for similar offence and stage of completion of investigation, this Court is inclined to allow this application on the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees**

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Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate No.IV, Tirunelveli;**

[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 is directed to appear before the Judicial Magistrate for a period of 30 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 is 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 his counsel file any such accused absent petition, the Court has to issue a Non Bailable Warrant against the accused and secure him and commit him to custody**;**

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[e] If the accused thereafter absconds, a fresh FIR shall be registered under Section 269 BNS, 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 petitioner shall not tamper with the evidence or witness either during investigation or trial;

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

[j] On breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is

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entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is 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.IV, Tirunelveli.

2. The Superintendent, Central Prison, Palayamkottai

3.The Inspector of Police, Thatchanallur Town Police Station, Tirunelveli District.

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

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DR.P. MURUGAN, J.

PNM/KU

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