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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04-11-2026

CORAM

THE HON'BLE MR. JUSTICE K.MURALI SHANKAR

CRL OP(MD) No. 25140 of 2026

CNR:{HCMD011571592026}

Madhan

..Petitioner/
Accused

Vs

State Of Tamilnadu Rep By
The Inspector Of Police,
Thatchanallur Police Station,
Tirunelveli District.
Crime No. 332/2026.

..Respondent/
Complainant

PETITION FOR BAIL Under Section 483 BNSS.

Prayer : For Bail in Crime No.332 of 2026 on the file of the Respondent Police.

For Petitioner(s) :Mr.M.Pandian,
Advocate

For Respondent(s) :Mr.T.Lenin Kumar,
Additional Public Prosecutor

ORDER

The petitioner / accused, who was arrested and remanded to judicial custody on 01.09.2026 for the offences punishable under Sections 126(2), 296(b), 103(1) and 351(3) BNS altered into Sections 103(1),

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126(2), 191(2), 191(3), 296(b), 351(3), 61(2) BNS, in Crime No.332 of 2026, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant, who is the wife of the deceased, lodged a complaint before the respondent police alleging that there was a dispute between the deceased and the accused, namely, Manikandan, Ponraj and Maharajan, with regard to the painting of caste-related symbols on the deceased's house. On account of the said dispute, on 30.08.2026, at about 03.45 p.m., while the deceased and the defacto complainant were travelling on a two-wheeler and the brothers of the deceased were travelling on another two-wheeler, the said three accused waylaid them and assaulted the deceased and severed his head. They also abused the deceased's brothers in filthy language and threatened them with dire consequences. Further, while displaying the severed head of the deceased, they allegedly proclaimed that such would be the fate of anyone who opposed them. Hence, a case was registered in Crime No.332 of 2026 against the said three accused. Subsequently, the other accused, including the petitioner herein, were also arrayed as accused in the said case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as

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alleged by the prosecution. He would further submit that the 5th accused Vinoth, 7th accused V.Perumal, 9th accused Gobinath @ Gobi and the accused Mayakrishnan @ Gopi were granted bail by this Court in Crl.O.P.(MD)Nos.24203, 24586, 24588 and 25010 of 2026 on 23.10.2026, 29.10.2026, 29.10.2026 and 03.11.2026 respectively and the 10th accused Vimalkumar was granted bail by the Principal Sessions Court, Tirunelveli, in Crl.M.P.No.4180 of 2026 on 29.09.2026 and that the petitioner is in judicial custody from 01.09.2026.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that there are totally 10 accused in this case and the petitioner is arrayed as sixth accused and that the overt act attributed to the petitioner is that he was present at the place of occurrence. He would further submit that the petitioner is having 2 previous cases including a murder case.

5. Considering the above facts and circumstances and taking note of the overt act attributed to the petitioner and also the facts that the petitioner is in judicial custody from 01.09.2026 and that similarly placed accused were granted bail by this Court and by the Principal Sessions Court, this Court is inclined to grant bail to the petitioner subject to the

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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 Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Tirunelveli, and on further conditions that:

a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate / concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

b) the petitioner shall report and sign before the respondent police daily at 10.30 a.m., until further orders;

c) the petitioner shall not tamper with the evidence or witness either during investigation or trial;

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

e) On breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is 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

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Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];***

f) If the accused thereafter abscond, a fresh FIR can be registered under Section 269 BNS, 2023.

04-11-2026

CSM

To

1.The Judicial Magistrate No.IV, Tirunelveli.

2.Do through the Chief Judicial Magistrate, Tirunelveli.

3.The Superintendent, Central Prison, Palayamkottai, Tirunelveli District.

4.The Inspector Of Police, Thatchanallur Police Station, Tirunelveli District.

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

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K.MURALI SHANKAR, J.
CSM

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