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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. 25244 of 2026

CNR:{HCMD011580092026}

Velmurugan

..Petitioner/
Accused No.1

Vs

State Of Tamilnadu Rep By
The Inspector Of Police,
Kovilpatti West Police Station,
Thoothukudi District.
(Crime No.167 of 2026)

..Respondent/
Complainant

PETITION FOR BAIL Under Section 483 BNSS.

Prayer : For Bail in connection with the case in S.C.No.408 of 2026 before the II Additional District and Sessions Judge, Thoothukudi, in Crime No.167 of 2026 on the file of the Respondent Police.

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

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

ORDER

The petitioner / first accused, who is facing a case for the offences

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punishable under Sections 296(b), 126(2) and 103(1) BNS, in S.C.No.408 of 2026, on the file of the II Additional District and Sessions Judge, Thoothukudi, in Crime No.167 of 2026, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there was an existing dispute between the accused persons and the defacto complainant's son. On account of the said dispute, on 04.02.2026, the accused persons, including the petitioner, allegedly abused the defacto complainant's son. Thereafter, the second and third accused caught hold of the defacto complainant's son, while the petitioner attacked him, as a result of which the defacto complainant's son succumbed to the injuries sustained by him.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the accused 2 and 3 were granted bail by the Sessions Court, that when the petitioner was in judicial custody, he was detained under the Goondas Act and the same was subsequently quashed by this Court and that the petitioner is in judicial custody from 05.02.2026.

4. The learned Additional Public Prosecutor appearing for the

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respondent police would submit that there are totally three accused in this case and that the petitioner attacked the deceased with stone. He would further submit that the petitioner is having four previous cases but that cases were already disposed of.

5. Considering the above facts and circumstances and also the facts that the petitioner is in judicial custody from 05.02.2026, that as of now, the petitioner is not having any previous cases and that the accused 2 and 3 were granted bail by the Sessions Court, this Court is inclined to grant bail to the petitioner subject to 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 Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned II Additional District and Sessions Judge, Thoothukudi, and on further conditions that:

a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Sessions Judge / 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 trial Court at 10.30

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a.m., on all working days 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 Sessions Judge / 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 Sessions Judge / Trial Court himself as laid down by the 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 II Additional District and Sessions Judge, Thoothukudi.
2. Do through the Chief Judicial Magistrate, Thoothukudi.
3. The Superintendent, Central Prison, Palayamkottai.
4. The Inspector Of Police, Kovilpatti West Police Station, Thoothukudi 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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