

TNMD010014282026 TNMD010015802026



In the Court of the Principal Sessions Judge, Madurai.

Present : Thiru. S. SIVAKADATCHAM, B.Sc., M.L.,

Principal Sessions Judge, Madurai.

Saturday, this the 7th day of March, 2026.

Crl.M.P.No.935/2026 & 1003/2026.

CNR No.TNMD010014282026 TNMD010015802026

1. V.Lakshmanan, S/ o.Vadivel
2. E.Balamurugan, S/ o.Erulappan

... Petitioners/Accused
in Crl.M.P.No.935/2026.

1. Alex, S/o. Sekar
2. Vijaymanickam, S/o.Chelladurai
3. Mukesh, S/o.Murugan
4. Rajithaganthi, S/o.Sekar
5. Manimaran, S/o.Pandi
6. Balakrishnan, S/o.Thikkannan
7. Ponnusamy, S/o.Paulraj
8. Oorakalan, S/o.Rasu
9. Vignesh, S/o.Paulraj
10. Munisankar, S/o.Sasikumar
11. Sasi, S/o.Marimuthu
12. Ambspandi, S/o.Ravikumar
13. Chellam @ Selvam, S/o.Pandi
14. Jeyakumar, S/o.Saroja
15. Selvakumar, S/o.Vadivel
16. Thangaraj, S/o.Erulappan
17. Balamurugan, S/o.Erulappan
18. Sathish, S/o.Veluchami
19. Mahendran, S/o.Sundaram
20. Sakthivel, S/o.Jeganadhan
21. Manikandan, S/o.Jeganadhan
22. Selvam, S/o.Oorkalan
23. Manikandan, S/o.Sekar
24. Ramesh, S/o.Sakkarai
25. Ramesh, S/o.Muniyandi
26. Pukazhenthii, S/o.Muthuraj
27. Lakshmanan, S/o.Sasikumar
28. Alagar, S/o.Arumugam

29. Sundharam, S/o.Periyamani
30. Muthuraj (Painter), S/o.Muniyandi
31. Selvankumar, S/o.Shandhi

... Petitioners/Accused
in CrI.M.P.No.1003/2026.

Vs

State through the Inspector of Police,
Thirumangalam Taluk P.S. in Cr.No.40/2026

... Respondent/Complainant
in both e-petitions.

These e-petitions coming on today for hearing before me in the presence of Thiru.M.Ramesh Kumar, Advocate for the petitioners in CrI.M.P.No.935/2026, Thiru.A.S.Krishnan, Advocate for the petitioners in CrI.M.P.No.1003/2026, and of Public Prosecutor for the State, this court passed the following:

Common Order

1. Anticipatory Bail applications u/s 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).

2. Heard both sides.

3. The learned counsel for the petitioners/accused in Cr.M.P.No.1003/2026 submitted that he not-pressed the petition in respect of 17th petitioner and argued for the remaining petitioners and filed a Memo to that effect. Hence, the petition in respect of 17th petitioner is dismissed as not-pressed.

4. The learned counsel for the petitioners/accused in Cr.M.P.Nos.935 & 1003/2026 would submit that the respondent police registered a case against the petitioners and others in Cr.No.40/2026 for the offences u/s 191(2), 191(3), 296(b), 324(4), 118(1), 109 and 351(3) of BNS and 3(1) of TNPPDL Act. The petitioners apprehends arrest and the hands of respondent police and are seeking anticipatory bail. The petitioners are innocent and they have not committed any offences as alleged. During the temple festival, scuffle took place, which ended in assault. The respondent police falsely implicated the persons, who belong to Alampatti village in this case, without proper investigation. Injured discharged from hospital. Co-accused were granted bail by this court on 06.03.2026. The petitioners have not filed similar petition before the Hon'ble Madurai Bench of Madras High Court or

any other court. The petitioners are ready to abide by any conditions that would be imposed by this court and prayed to grant anticipatory bail to the petitioners.

5. The learned counsel for the petitioners in Cr.M.P.No.935/2026 would further submit that the petitioners/A19 and A21 in Cr.M.P.No.935/2026 are Advocates in Tirumangalam and they have been falsely implicated in this case. They are not alleged to have assaulted any person, carried or used any weapon, caused any injury, damaged temple property, issued threats or instigated the occurrence. There is no specific overt act against the petitioners/A19 and A21 which indicates over-implication arising out of group rivalry and communal tension. Even as per FIR, there is no material to establish that the petitioners shared any common object or actively participated in the alleged offences. During the production of remand of petitioners for remand, the learned Judicial Magistrate, Tirumangalam, after examining the FIR and the Remand report, found that no specific overt act, weapon use or injury is attributed to the petitioners. The concerned Judicial Magistrate also noted that the Remand Report did not show any need for custodial interrogation. The 1st petitioner was granted anticipatory bail by this court in respect of another crime No.39/2026 on 04.03.2026. The petitioners will not abscond from the process of law and prayed to grant anticipatory bail to them.

6. The learned counsel for the petitioners in Cr.M.P.No.1003/2026 would further submit that so far as the 15th petitioner (A18) is concerned, he was in Chennai on the alleged date of occurrence in respect of a cinema shooting. But he is falsely roped into this case. The petitioner/A18 is the brother of A19, who is a practicing Advocate. The occurrence was exaggerated and complaint was lodged. Custodial interrogation of petitioners is not necessary and prayed to grant anticipatory bail to them.

7. The learned Public Prosecutor submitted that totally there are 39 named accused and others involved in this case. As per the case of the prosecution, the

defacto-complainant and the accused belong to different community, but both worship Sri Mahamuni. Kumbabishegam is scheduled to be held at Sri Mahamuni temple on 21.02.2026. While so, on 19.02.2026 at 08.30 p.m., near Muthalamman temple, Alampatti, the defacto-complainant and others were making arrangements in connection with the proposed Kumbabishekam of the temple. At that time, the accused persons, owing to prior enmity and communal tension, objected to the said religious activities, abused the women present using filthy and derogatory language and left the spot after threatening to return with more persons. Subsequently, at about 09.00 p.m., A1 to A39 and some unknown persons formed themselves into an unlawful assembly armed with deadly weapons viz. Aruval, Wooden log and stones with the common object of causing violence and disturbing public peace. They have damaged the swami idols and speakers kept in Muthalamman temple. On seeing the same, the defacto-complainant and others condemned them, for which, they have assaulted the defacto-complainant and others brutally with Aruval, Wooden log and stones and caused injuries to them. On arrival of police, they criminally intimidated them with dire consequences and left. Hence, the complaint. Injured discharged from hospital. The value of damage caused to the things kept in the temple is estimated as Rs.20,000/-. The occurrence took place, in continuation of enmity between the two rival groups. Picketing is still going on. Investigation is pending and objected to grant anticipatory bail to the petitioners.

8. Rival contentions are taken into consideration. The alleged offences against the petitioners/accused are u/s 191(2), 191(3), 296(b), 324(4), 118(1), 109 and 351(3) of BNS and 3(1) of TNPPDL Act.

9. As per prosecution, the defacto-complainant and the accused persons belong to different communities, on 19.02.2026 at 08.30 arrangements were made in connection with the proposed Kumbabishekam of the temple in Sri Mahamuni temple, Alampatti, that at that time, the accused persons, owing to prior enmity and communal tension, objected to the said religious activities, abused the women, who

were cleaning the temple using filthy and derogatory language, that at about 09.00 p.m., A1 to A39 and some unknown persons formed themselves into an unlawful assembly armed with deadly weapons viz. Aruval, Wooden log and stones with the common object of causing violence and disturbing public peace, that they have damaged the swami idols and speakers kept in Muthalamman temple. It is further contended that when the defacto-complainant and others condemned them, the accused have assaulted the defacto-complainant Jayakumar, Manavalan and Jaylakshmi brutally with Aruval, Wooden log and stones and caused injuries to them and based on the complaint given by Jayakumar, the present case in Crime No.40/2026 was registered. Based on the complaint given by one viz. Jayalakshmi, another case in Crime No.38/2026 has been registered for the offences u/s 191(2), 191(3), 296(b), 133, 118(1), 109, 351(3) of BNS r/w 3(1)(r), 3(1)(s), 3(1)(y), 3(2) (va) of SC/ST Act. During the said occurrences in Crime Nos.40 & 38/2026, the police personnel, who were on picketing, tried to pacify them, for which, they were assaulted by the village people and hence another case in Crime No.39/2026 was registered based on the complaint given by Gr.II Police for the offences u/s 191(2), 191(3), 296(b), 132, 118(1), 109 and 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023.

10. So far as the present case in Crime No.40/2026 is concerned, injured discharged from hospital. The value of damage said to have been caused by the accused is estimated as Rs.20,000/-. This court granted bail to the petitioners/accused in Cr.M.P.Nos.958, 1000, 1013/2026 and dismissed the anticipatory bail applications as per order dated 06.03.2026. It is contended on the side of prosecution that still tension is prevailing there, 25 police personnel are deployed to maintain law and order in the village. So far as the petitioners in Cr.M.P.No.935/2026 are concerned, it is submitted that the petitioners are practicing Advocates, that only in order to discharge their profession as Advocates they were present at the place of occurrence, that they will not abscond from the

process of law and that they will co-operate for the investigation. No previous case is reported against them. This court granted anticipatory bail to the 1st petitioner in Cr.M.P.No.935/2026 in respect of another crime No.39/2026 as per order in Cr.M.P.No.934/2026 dated 04.03.2026. Considering the above facts and that the petitioners in Cr.M.P.No.935/2026 being Advocates will not abscond from the process of law and tamper the evidence, this court is inclined to grant anticipatory bail to the petitioners in Cr.M.P.No.935/2026 on conditions. So far as the petitioners in Cr.M.P.No.1003/2026 are concerned, the learned Public Prosecutor strongly objected stating that the petitioners were present at the place of occurrence and proof is available with them and that in view of the nature of offences, their custodial interrogation is very much essential. Hence, considering the nature of offences, the present situation prevailing in the concerned village, that still police picketing is going on and the strong objections placed on the side of prosecution, this court is not inclined to grant anticipatory bail to the petitioners in Cr.M.P.No.1003/2026.

In the result, in the event of arrest or on their surrendering before the Court concerned the petitioners in Cr.M.P.No.935/2026 are ordered to be released on anticipatory bail on deposit of Rs.1,000/- each to the credit of Cr.No.40/2026 of Tirumangalam Taluk P.S before the concerned Judicial Magistrate (subject to the result of the case) and on their executing a bond for a sum of Rs.10,000/- each with two sureties each for a like sum to the satisfaction of Judicial Magistrate, Tirumangalam subject to the following conditions:-

(i) The petitioners in Cr.M.P.No.935/2026 shall surrender before the Court concerned within 15 days from today without fail.

(ii) The petitioners in Cr.M.P.No.935/2026 shall appear and sign before the **Judicial Magistrate, Thirumangalam, daily at 10.30 a.m.. until further orders.**

(ii) The petitioners shall co-operate with the investigation and they shall not threaten the witnesses. They shall not induce witnesses and they shall not cause hindrance to the pending investigation.

(iv) If there is any violation of condition, the Investigation officer is within his discretion to approach the Court of the learned Judicial Magistrate concerned for cancellation of bail as per the ruling of the Hon'ble Supreme Court reported in **Shaji/Vs./ State of Kerala, (2005) AIR S.C.W. 5560.**

So far as the petitioners No.1 to 16 and 18 to 31 in Cr.M.P.No.1003/2026 are concerned, the petition is dismissed and the petition in respect of petitioner No.17 is dismissed as not pressed.

Pronounced by me in the Open Court on the 7th day of March, 2026.

Principal Sessions Judge,
Madurai

Copy to

1. The J.M.Thirumangalam.
2. The Inspector of Police, Thirumangalam Taluk P.S.
3. The Superintendent, Central Prison, Madurai.
4. The Petitioners through their counsels.