

TNMD010017272026



In the Court of the Principal Sessions Judge, Madurai.

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

Principal Sessions Judge, Madurai.

Wednesday, this the 18<sup>th</sup> day of March, 2026.

CrI.M.P.No.1068/2026

CNR No.TNMD010017272026

Balamurugan @ Murugan, S/o.Pandi

... Petitioner/Accused.

Vs

State through the Inspector of Police,

Avaniyapuram P.S. in Cr.No.616/2025

... Respondent/Complainant.

This petition coming on today for hearing before me in the presence of Thiru.S.Kannan, Advocate for the petitioner and of Public Prosecutor for the State, this court passed the following:

**Order**

1. Bail application u/s 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).

2. Heard both sides.

3. The learned counsel for the petitioner/accused would submit that the respondent police has registered a case in Crime No.616/2025 for the offences u/s 296(b), 103 and 351(3) of BNS against A1 to A5 and subsequently arrayed the petitioner as A6 in this case. The petitioner was arrested by the respondent police and remanded to judicial custody on 02.01.2026 and is in custody for the past 76 days. The petitioner is innocent and he has not committed any offences as alleged. The petitioner's name is not found in the FIR. The petitioner was not present at the place of occurrence. There is no specific overt act against the petitioner. Investigation is almost over. The petitioner has no previous case. The petitioner has not filed similar petition before the Hon'ble Madurai Bench of Madras High Court or any other court. The petitioner is ready to abide by any conditions that would be imposed by this Court and prayed to allow the petition.

4. The learned Public Prosecutor submitted that initially FIR was registered against A1 to A5 and the petitioner is subsequently arrayed as A6. As per the case of the prosecution, the defacto-complainant is the brother of deceased Muneeswaran. There existed enmity between the deceased and the accused persons. As a result, on 31.12.2025 at 07.45 p.m., A1 to A5 have brutally assaulted the deceased with sword, due to which, he died. They have scolded the defacto-complainant and her family members, who have tried

to rescue the deceased, in abusive words and criminally intimidated them with dire consequences and fled the scene of occurrence. Hence, the complaint. Investigation revealed that A1 to A5 along with weapons were taken to the place of occurrence by the petitioner in his auto and hence he is arrayed as A6 in this case. So far, 15 witnesses are only examined. RFSL Report and Postmortem report are awaited. Investigation is pending and strongly objected to grant bail to the petitioner.

5. Rival contentions are taken into consideration. The alleged offences against the petitioner/accused are u/s 296(b), 103 and 351(3) of BNS. As per prosecution, due to previous enmity between the accused persons and the deceased, the present occurrence has taken place and that the petitioner/A6 took A1 to A5 along with weapons in his auto to the place of occurrence, where A1 to A5 have hacked the deceased to death. The occurrence is said to have taken place on 31.12.2025. It is a case of brutal murder. The petitioner is in custody only for 76 days. It is represented on the side of prosecution that so far, 15 witnesses are only examined and that RFSL Report and Postmortem report are awaited. Moreover, it is represented on the side of prosecution that there is constant enmity between two groups and that if the petitioner is released on bail, there is a chance of retaliation murder. Material part of investigation has not been completed. Considering the above facts, the heinous nature of offences, the short period of custody of petitioner and the strong objections placed on the side of prosecution, this court is not inclined to grant bail to the petitioner at this stage and accordingly, the petition is liable to be dismissed.

In the result, the petition is dismissed.

Pronounced by me in the Open Court on the 18<sup>th</sup> day of March, 2026.

Principal Sessions Judge,  
Madurai

**Copy to :** The J.M.No.6. Madurai.