

TNMD010018152026 TNMD010018142026



In the Court of the Principal Sessions Judge, Madurai.

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

Principal Sessions Judge, Madurai.

Thursday, this the 12th day of March, 2026.

CrI.M.P.No.1100/2026 & 1101/2026.

CNR No.TNMD010018152026 TNMD010018142026

1. Prakash, S/o.Subramanian ... Petitioners/Accused
2. Kannan, S/o.Ganesan in CrI.M.P.No.1100/2026.

1. Jeya, W/o.Karthan ... Petitioners/Accused
2. Lakshmipriya, W/o.Prakash in CrI.M.P.No.1101/2026.
3. Banupriya, W/o.Kannan

Vs

State through the Inspector of Police, ... Respondent/Complainant
Karuppayoorani P.S. in Cr.No.16/2026 in both petitions.

These petitions coming on today for hearing before me in the presence of Thiru.M.Rajasheriff, Advocate for the petitioners in CrI.M.P.No.1100/2026, Thiru.M.Meyappan, Advocate for the petitioners in CrI.M.P.No.1101/2026, and of Public Prosecutor for the State, this court passed the following:

Common Order

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

2. Heard both sides.

3. The learned counsel for the petitioners/accused in CrI.M.P.Nos.1100 & 1101/2026 would submit that this is the 2nd petition and that the respondent police has registered a case against the petitioners in Crime No.16/2026 for the offences u/s 191(2), 296(b) and 105 of BNS. The petitioners were arrested by the respondent police and remanded to judicial custody on 09.02.2026 and are in custody for the past 32 days. The petitioners are innocent and they have not committed any offences as alleged. There is money transactions between A1 and the deceased. The deceased was suffering from heart ailments and he died due to heart attack on the alleged date of occurrence. But the wife of deceased lodged the present

complaint against the petitioners due to previous motive. The petitioners in Cr.M.P.No.1100/2026 are son-in-law of A1, they are also falsely roped into this case, they were not at all present at the place of occurrence. There is no motive, no intention, no preparation and no knowledge. Even as per FIR, there is no specific allegations against the petitioners and that the complaint was lodged only on suspicion and there is no direct eye witness for the alleged occurrence. Entire family members are in prison and there is nobody to take care of their children. 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 allow the petitions.

4. The learned Public Prosecutor and the learned counsel for the intervening petitioner submitted that totally there are 5 accused in this case, who are the petitioners herein. As per the case of the prosecution, the defacto-complainant is the wife of deceased Kannan. A1 is the neighbour and also relative of defacto-complainant. The defacto-complainant and her husband had borrowed amount from A1 and they were repaying the same little by little, but A1 demanded them to repay the entire amount and often quarrelled with them in this regard. While so, on 08.02.2026 at 08.30 p.m., when the defacto-complainant was not in the house, A1 to A5 have come to the defacto-complainant's house, demanded the defacto-complainant's husband to repay the entire amount, abused him in vulgar words, pushed him down and kicked him brutally. On the same day at 09.30 p.m., the defacto-complainant returned home and found that her husband was unconscious and immediately, he was taken to hospital, where he was declared as dead. Hence, the complaint. So far, 6 witnesses are examined, Postmortem report was received, but Final opinion and RFSL Report are awaited. Investigation is pending and objected to grant bail to the petitioners.

5. Rival contentions are taken into consideration. The alleged offences against the petitioners/accused are u/s 191(2), 296(b) and 105 of BNS. As per prosecution, the defacto-complainant is the wife of deceased, that there existed

money dispute between the deceased and A1, that A1 to A5 have forced the deceased to repay the entire loan amount, abused the deceased in vulgar words and assaulted him, kicked him, which resulted in death. This is the 2nd petition filed by the petitioners.

6. The petitioners' contention is that the deceased is a heart patient, he died due to cardiac arrest and that the petitioners are in no way connected with the death of deceased and that since all the family members are in prison, there is nobody to take care of their children at home. It is specifically argued on the side of petitioners in Cr.M.P.No.1100/2026 that they are son-in-law of A1, they are also falsely roped into this case and they were not at all present at the place of occurrence. Per contra, on the side of prosecution, it is represented that so far only 6 witnesses are examined, more witnesses are yet to be examined, investigation is at preliminary stage and that Final Opinion and RFSL Report are awaited and prayed to dismiss the petition. The petitioners are in custody only for 32 days. Whether the cause of death is due to heart attack or the attack made by the petitioners could be ascertained only during the course of investigation, which is pending. Considering the above facts, the gravity of offences, the short period of custody of petitioners, the pending stage of investigation and the objections placed on the side of prosecution and there is no change of circumstances after dismissal of earlier petition, this court is not inclined to grant bail to the petitioners at this stage and accordingly, the petitions are liable to be dismissed.

In the result, the petitions are dismissed.

Pronounced by me in the Open Court on the 12th day of March, 2026.

Principal Sessions Judge,
Madurai

Copy to : The J.M.No.2. Madurai.