

TNMD010041892026 TNMD010041522026



In the Court of the Principal Sessions Judge, Madurai.

Present : THIRU. M.SAISARAVANAN., M.L.,
Principal Sessions Judge, Madurai.

Monday, this the 6th day of July, 2026.

CrI.M.P.No.3055/2026 & 3068/2026.

CNR No.TNMD010041892026 TNMD010041522026

Thirukannan, S/o.Packiyam

... Petitioner/Accused
in CrI.M.P.No.3055/2026.

Deepan Sakkaravarthi, S/o.Thirukannan

... Petitioner/Accused
in (e-petition) CrI.M.P.No.3068/2026.

Vs

State through the Inspector of Police,
Keerathurai P.S. in Cr.No.304/2026

... Respondent/Complainant
in petition/e-petition.

This petition/e-petition coming on today for hearing before me in the presence of Thiru.J.Vijayaraja, Advocate for the petitioner in CrI.M.P.No.3055/2026, Ms.R.Ramar, Advocate for the petitioner in CrI.M.P.No.3068/2026, and of Public Prosecutor for the State, this court passed the following:

Common Order

1. Bail application in Cr.M.P.No.3055/2026 u/s 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).

2. Anticipatory Bail application in Cr.M.P.No.3068/2026 u/s 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).

3. Heard both sides.

4. The learned counsel for the petitioners/accused in CrI.M.P.Nos.3055 & 3068/2026 submitted that the respondent police has registered a case against the petitioners and others in Cr.No.304/2026 for the offences u/s 189(4), 115(2), 132, 249(c) & 351(3) of BNS and 25(1)(a) of Arms Act. The petitioner/A1 is in judicial custody for the past 24 days. This is the 2nd petition filed by the petitioner/A1. The petitioner/A3 apprehends arrest at the hands of police and is seeking anticipatory bail. There is no specific overt act against A3. Since A3 was

just present at the place of occurrence, he is falsely implicated in this case. Co-accused are granted bail by this court. The petitioners have not committed any offences as alleged. No similar petition is filed or pending before any superior courts. The petitioners are ready to abide by any conditions that would be imposed by this court and prayed to allow the petition.

5. The learned Public Prosecutor submitted that the defacto-complainant is the Head Constable, Aviyur P.S. and he was assigned the duty of tracking down and apprehending the accused viz. Ilavarasan and Arunkumar, in connection with Crime No.129/2026 of the Aviyur Police Station. Upon receiving credible information that A1 was harboring both the accused at his residence in Keerathurai, the defacto-complainant and his team went and raided the premises on 12.06.2026 at 05.00 a.m., and demanded A1 to produce them. Instead, A1 to A7 aggressively shouted at the police team, assaulted them with their hands and threatened them with a sword. In the melee, one of the accused viz. Arunkumar, managed to escape from the house, while the defacto-complainant succeeded in arresting Ilavarasan. A1 is involved in 9 previous cases. Some of accused are still absconding. Investigation is pending and objected to allow the petitions.

6. Rival contentions are taken into consideration. The alleged offences against the petitioners/accused are u/s 189(4), 115(2), 132, 249(c) & 351(3) of BNS and 25(1)(a) of Arms Act. As per the case of the prosecution, A1 to A7 harbored the accused of Crime No. 129/2026 of the respondent Police Station at their residence, deliberately concealed them to screen them from legal punishment. Further, when the police personnel arrived at the premises of A1 to execute the arrest, A1 to A7 actively resisted by shouting at the officers, physically assaulting them, and threatening them with a sword.

7. As per FIR, there is no overt act for the offence u/s 25(1)(a) of Arms Act. But it seems that the said offence has been subsequently added. The defacto-complainant is a Police Constable. There is no chance for tampering the evidence. The arrested A1 is in custody for 24 days. Material part of investigation ought to

have been completed by this time. This court already granted bail to A2 & A7 as per order in Cr.M.P.No.2865/2026 dated 22.06.2026. This is the 2nd petition filed by A1. Though previous cases are pending against A1, considering the above facts, the period of incarceration of A1 and the facts and circumstances of the case, this court is inclined to grant bail to A1 on conditions. So far as the petitioner/A3, who is seeking anticipatory bail is concerned, on perusal of FIR, it shows that there is no specific overt act against A3, except the allegations that he abused the police personnel. No previous case is reported against A3. Considering the above facts, this court is inclined to grant anticipatory bail to the petitioner/A3 on conditions.

In the result, the petitioner in Cr.M.P.No.3055/2026 is ordered to be enlarged on bail on his executing a bond for Rs.10,000/- along with two sureties for a like sum each to the satisfaction of Judicial Magistrate No.IV, Madurai subject to the following conditions:-

(i) After release, the petitioner in Cr.M.P.No.3055/2026 shall appear and sign before the Judicial Magistrate No.IV, Madurai daily at 10.30 a.m. for a period of 30 days.

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

(iii) The petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(iv) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence.

(v) 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 **P.K.Shaji/Vs/State of Kerala, (2005) AIR S.C.W.5560**.

In the event of arrest or on his surrendering before the Court concerned the petitioner in Cr.M.P.No.3068/2026 is ordered to be released on anticipatory bail on his executing a bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of Judicial Magistrate No.IV, Madurai subject to the following conditions:-

(i) The petitioner in Cr.M.P.No.3068/2026 shall surrender before the concerned Court within 15 days from today; failing which, the petition shall stand automatically cancelled.

(ii) After release, the petitioner in Cr.M.P.No.3068/2026 shall appear and sign before the Judicial Magistrate No.IV, Madurai daily at 10.30 a.m. for a period of 30 days.

(iii) The petitioner shall co-operate with the investigation and she shall not threaten the witnesses. He shall not induce witnesses and shall not cause hindrance to the pending investigation.

(iv) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence.

(v) 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.**

Pronounced by me in the Open Court on the 6th day of July, 2026.

Principal Sessions Judge,
Madurai

Copy to

1. The J.M.No.4. Madurai.
2. The Inspector of Police, Keerathurai P.S.
3. The Superintendent, Central Prison, Madurai.
4. The Petitioners through their counsels.