

TNMD010044692026



In the Court of the Principal Sessions Judge, Madurai.

Present : THIRU. M.SAISARAVANAN., M.L.,

Principal Sessions Judge, Madurai.

Monday, this the 13th day of July, 2026.

Crl.M.P.No.3243/2026

CNR No.TNMD010044692026

1. Aathithyan, S/o.Shunmugam

2. Kishorekumar, S/o.Raju

3. Sambath, S/o.Balaji

... Petitioners/Accused.

Vs

State through the Inspector of Police,

Kallikudi P.S. in Cr.No.98/2026

... Respondent/Complainant.

This petition coming on today for hearing before me in the presence of Thiru.R.Murugan, Advocate for the petitioners 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 petitioners/accused submitted that the respondent police has registered a case in Crime No.98/2026 for the offences u/s 61, 49, 103(1) r/w 3(5) of BNS against unknown accused and subsequently arrayed the petitioners as accused. The petitioners are in judicial custody for the past 74 days. Further custodial interrogation of petitioners is not necessary. 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 that the petition is to be allowed.

4. Per contra, the learned Public Prosecutor submitted that there was prior enmity between the deceased Seenivasagan and the brother of A1, as the latter had been publicly humiliated when the former assaulted him in the presence of the

villagers. As a result, on 26.04.2026, the accused persons have conspired to kill the deceased Seenivasagan and accordingly, they assaulted the deceased brutally with knife and Aruval, which resulted in death. A1 to A3 have committed the murder. A4 made surveillance near the place of occurrence. A5 informed the whereabouts of the deceased to the co-accused. The petitioners herein are A1, A4 and A3 respectively. Investigation is pending and objected to allow the petition.

5. Rival contentions are taken into consideration. The alleged offences against the petitioners/accused are u/s 61, 49, 103(1) r/w 3(5) of BNS. As per the case of the prosecution, due to previous enmity, the accused persons have assaulted the deceased with Aruval and knife and caused grievous injuries, ultimately he succumbed to the injuries. CD file called for, perused and returned. On perusal of the CD file, it is found that almost ninety percentage of investigation is completed except the receipt of RFSL report. The petitioners are in custody for 77 days. No further detention of petitioners is required. Considering the above facts, the duress period of petitioners and the final stage of investigation, this court is inclined to grant bail to the petitioners on conditions.

In the result, the petitioners are ordered to be enlarged on bail on their executing a bond for Rs.10,000/- each along with two sureties for a like sum each to the satisfaction of Judicial Magistrate, Tirumangalam subject to the following conditions:-

(i) After release, the petitioners shall appear sign before the Inspector of Police, respondent police station **daily at 10.00 a.m. until further orders.**

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

(iii) The petitioners shall not commit an offence similar to the offence of which they are accused, or suspected, of the commission of which they are suspected.

(iv) The petitioners 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.**

Pronounced by me in the Open Court on the 13th day of July, 2026.

Principal Sessions Judge,
Madurai

Copy to

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