
(2026) 05 MAD CK 1344

In the Madras High Court, Madurai Bench

Case No : Criminal Original Petition (MD) No. 9237 Of 2026

Ayyanar And Others

APPELLANT

Vs

State Of Tamilnadu

RESPONDENT

Date of Decision : 06-05-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 49, 103(1), 115(2), 118(1), 191(2), 191(3), 269, 296(b), 351(3)

Citation : (2026) 05 MAD CK 1344

Hon'ble Judges : S.Srimathy, J

Bench : Single Bench

Advocate : R.Vinodh, E.Antony Sahaya Prabahar

Judgement

S.Srimathy, J

1. The petitioners, who were arrested and remanded to judicial custody on 11.03.2026 for the offences punishable under Sections 191(2), 191(3), 49, 296(b), 115(2), 118(1), 351(3) and 103(1) of BNS, in Crime No.129 of 2026 on the file of the respondent police, seek bail.

2. The case of the prosecution is that due to a quarrel regarding the handing over of accounts of Draupadi Amman Temple between the petitioners and the defacto complainant, the petitioners and other accused persons assaulted the defacto complainant and his younger brother consecutively and caused severe injuries on his right eye, head and face and also criminally intimidated them. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are in judicial custody from 11.03.2026. This is the second bail application. Hence, he seeks to the petitioners.

4. The learned Additional Public Prosecutor submitted that there are totally 12

accused in this case and the petitioners are A5 and A6. Due to a dispute regarding the temple accounts the accused persons assaulted the defacto complainant and his younger brother using wooden log and injured has been discharged from hospital. However, he opposed for grant of bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and considering the period of incarceration suffered by the petitioners and considering the age of the petitioners, this Court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Melur, and on further conditions that :-

[a] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioners shall report before respondent police daily at 10.30 a.m., until further orders;

[c] the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners are released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.