

(2026) 08 MAD CK 1269
In the Madras High Court, Madurai Bench
Case No : Crl.O.P.(MD)No.16311 of 2026

Madhan @ Madhan Kumar

APPELLANT

Vs

State of Tamil Nadu

RESPONDENT

Date of Decision : 04-08-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 103, 126(2), 191(2), 191(3), 269
Indian Penal Code, 1860 — Section 103, 126(2), 191(2), 191(3)
Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 483

Citation : (2026) 08 MAD CK 1269

Hon'ble Judges : K. Rajasekar, J

Bench : Single Bench

Advocate : For Petitioner: Mr.M.Vivek, Advocate; For Respondent:
Mr.N.Balasubramanian, Counsel for State of TN (Crl. Side)

Final Decision : Allowed

Judgement

The petitioner / Accused, who was arrested and remanded to judicial custody on 16.04.2026, for the offences punishable under Section 103 of BNS altered into Sections 103, 126(2), 191(2), 191(3) of IPC, in Crime No.129 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner herein while consuming liquor out side the bar run by the deceased, there was quarrel erupted. He joined hands with other accused involved in attacking the deceased. Even the deceased was running away from the bar to save himself, the accused chased him and attacked indiscriminately and commit murder. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He would further submitted that major part of the investigation has been almost completed. The petitioner has no previous case. The petitioner is in custody from 16.04.2026 and ready to abide any condition imposed by this Court. The co-accused, who is

similarly placed, was released on bail by this Court. Hence, he prayed bail for the petitioner.

4. The learned Counsel appearing for the State reiterated the prosecution case and reported that the petitioner has no previous case. Investigation has been completed and final report has also been filed and the same was taken cognizance in P.R.C.No.183 of 2026 on the file of the learned Judicial Magistrate No.III, Trichy. He opposed the grant of bail to the petitioner.

5. This Court heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, considering the nature of offence, overt act attributed against the petitioner, now investigation has been completed and final report also been filed before the concerned Court, and the case is in committal stage, the petitioner has no previous case, co-accused was also released on bail and also considering the period of incarceration, I am inclined to grant bail to the petitioner subject to certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties each for a like sum to the satisfaction of the learned **Principal District and sessions Judge, Trichy**, and on further conditions that:

[b] the petitioner shall report before the committal Court namely the learned Judicial Magistrate No.III, Trichy, at 10.30 a.m., on all working days, until further orders:

[c] the petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/she is suspected;

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

[e] 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 her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 51730].

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