

CRL OP(MD). No.13941 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 10/07/2026

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THE HONOURABLE MR. JUSTICE K. RAJASEKAR

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Mohan

... Petitioner/ Accused
Rank Not Known

Vs

The State of Tamilnadu Rep By,
The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
Cr.No.636 of 2025.

... Respondent/ Complainant

PRAYER :-

For Bail in Cr.No.636 of 2025 on the file of the respondent police.

For Petitioner : E.Mareeskumar,
Advocate.

For Respondent : Mr.N.Balasubramanian,
Counsel For State of TN (Crl.Side)

ORDER : The Court made the following order :-

The petitioner / Accused, who is arrested and remanded to judicial



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custody on 28.06.2026, for the offences punishable under Section 194 of BNSS, 2023 and Sections 105 and 106 of BNS, 2023, in Crime No.636 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is a civil contractor and had been engaged by the defacto complaint for the construction of a house, and he had also installed a grill gate in the house, and the same was put into use by the defacto complaint. Subsequently, on 27.12.2025, the grill gate was fallen down and it resulted in causing injury to 2 children and subsequently, they succumbed due to injuries. Hence, the present complaint has been registered and the petitioner was arrested on 28.06.2026.

3. The learned counsel appearing for the petitioner submitted 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 further submitted that the petitioner constructed the house as early as in the year 2023, and it was used by the defacto complainant for almost 2 years, and only thereafter, the present occurrence had taken place, and it



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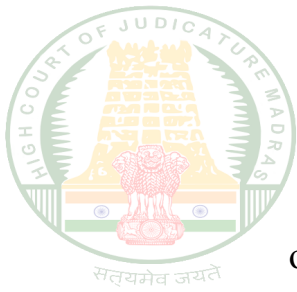
is not his negligent act that resulted in the occurrence and the petitioner is in custody from 28.06.2026 and he is ready to cooperate with the investigation and ready to abide any condition imposed by this Court. Hence, he prayed bail for the petitioner.

4. The learned counsel appearing for the State reiterated the prosecution case and reported that the petitioner was arrested only on 28.06.2026 and investigation in this case is not concluded. Hence, he opposed to grant bail to the petitioner.

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

6. considering the nature of the allegations and the other circumstances and also the fact that the house was constructed actually in the year 2023 and also considering the incarceration undergone by the petitioner, I am inclined to grant bail to the petitioner subject to certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail



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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 **Judicial Magistrate No.I, Sivakasi**, and on further conditions that:

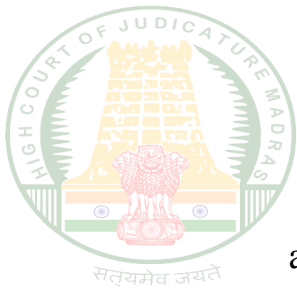
[b] the petitioner shall report before the respondent police, daily at 10.30 a.m., for a period of two weeks, thereafter as and when required for interrogation;

[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



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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.

10.07.2026

dss

To

- 1.The Judicial Magistrate No.I, Sivakasi.
- 2.The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
- 3.The Superintendent, Sub Jail, Virudhunagar.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

K. RAJASEKAR,J

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ORDER
IN
CRL OP(MD) No.13941 of 2026

Date : 10/07/2026