



CrI.O.P.(MD)No.17594 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 17/08/2026

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THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

CRL OP(MD). No.17594 of 2026

Muthu

... Petitioner/ Accused No.5

Vs

The State of Tamilnadu Rep By,
The Inspector of Police,
Muneerpallam Police Station,
Tirunelveli District.
Cr.No.303/2021.

... Respondent/Complainant

PRAYER :-

To enlarge the petitioner on bail in the case in SC.No.332 of 2023 on the file of the Learned Sessions Judge, Mahila Court, Tirunelveli District and pass such further or other orders as this Hon`ble court may deem fit and proper in the circumstances

For Petitioner : Muthuram R,
Advocate.

For Respondent : T.Leninin Kumar
Counsel for State of TN (CrI.Side)

ORDER : The Court made the following order :-

The petitioner/A5, who was arrested and remanded to judicial custody on 05.11.2025 (formal arrest) for the offences punishable under Sections 147, 148, 149, 294(b), 427, 324, 307, 506(ii) and 302 of IPC, &



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Section 4 of Tamil Nadu Prohibition of Harassment of Woman (Amendment) Act, 2002, in SC.No.332 of 2023 on the file of the learned Sessions Judge, Mahila Court, Tirunelveli District, in connection with Crime No.303/2021 on the file of the respondent police, seeks bail.

2. The prosecution case is that the petitioner along with other accused in a drunken mode entered into the Sri Lankan refugee camp and abused the defacto complainant and the deceased in filthy language and attacked them with a sickle and caused death to the deceased. Hence, the present complaint has been registered. Thereafter, the petitioner was released on bail. Subsequently, the final report was filed. Thereafter, due to the non-appearance of the petitioner, Non Bailable Warrant was issued against him on 23.09.2025. and the same was executed on 05.11.2025 and hence, this petition.

3. The learned counsel appearing for the petitioner submitted that since the petitioner is having other cases, he has been falsely implicated in this case. He further submitted that since he was in prison in connection with Crime No.205 of 2023 on the file of the Pathamadai Police Station, Tirunelveli District, Non-bailable Warrant was issued on 23.09.2025 and on production through PT Warrant, he was remanded to judicial custody on



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05.11.2025, for the present case. Hence, he prayed for grant of bail to the petitioner.

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4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that it is case of jumped out bail and the prosecution already examined 37 witnesses and 23 witnesses have to be examined and now, the case was posted on 25.08.2026 for examination of L.W.37 to L.W.43. He further submitted that the petitioner is having bad antecedents and he has got nearly 23 cases against him. Hence, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, particularly that the non-bailable warrant was issued for the first time in the present case; that the petitioner could not appear before the trial Court as he was in judicial custody in connection with another case, which resulted in the issuance of the non-bailable warrant; and taking note of the period of incarceration undergone by the petitioner from 05.11.2025, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, this Criminal Original Petition is allowed and the



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petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two

sureties each for a like sum to the satisfaction of the **learned Sessions**

Judge, Mahila Court, Tirunelveli District, and on further conditions that;

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the trial Court daily at 10.30 a.m., on all working days until further orders;

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial;

*(v)On breach of any of the aforesaid conditions, the learned 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 5560]**;*

(vi)If the accused thereafter abscond, a fresh FIR can be registered under Section 269 BNS, 2023.

(K M S J)



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To

- 1.The Sessions Judge, Mahila Court, Tirunelveli District.
- 2.The Superintendent, Central Prison,
Palayamkottai, Tirunelveli District.
- 3.The Inspector of Police,
Muneerpallam Police Station, Tirunelveli District.
- 4..The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K.MURALI SHANKAR,J

dss

ORDER
IN
CRL OP(MD) No.17594 of 2026

Date : 17/08/2026