



CRL OP(MD). No.21616 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 27/11/2025

PRESENT
The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Prabhukumar @ Prabhu ... Petitioner/A1

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
(Cr. No.302/2025). ... Respondent/Complainant

For Petitioner : Arokia Selva Ramesh.S,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- C-38 B. For Bail in Crime No. 302/2025 on
the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to
judicial custody on 15.10.2025 for the offences
punishable under Sections 126(1), 296(b) and 105 of
BNS, equivalent to Section 339, 294(b) & 304 of IPC,
in Crime No.302 of 2025 on the file of the respondent
police, seeks bail.



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2. The case of the prosecution is that the petitioner/A1 and the co-accused have wrongfully restrained the husband of the defacto complainant and abused him using filthy language and assaulted him by using hands and legs due to which he sustained injuries and subsequently, he succumbed to death. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 15.10.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner has four previous cases. The specific overt act against the petitioner is he assaulted the deceased using hands and legs and caused grievous injuries and after went home, the deceased died. However, he opposed for grant of bail to the petitioner.



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5. Taking into consideration of the facts and circumstances of the case and inspite of the petitioner is having four previous cases, considering the nature of offence, and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is 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 No.II, Sivagangai, and on further conditions that :-

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



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

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner is 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.

27.11.2025

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TO

1. The Judicial Magistrate No.II, Sivagangai.
2. The Superintendent, District Jail, Trichy.
3. The Inspector of Police,
Sivagangai Taluk Police Station, Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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