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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **09.02.2026**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.2908 of 2026

Dheena

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Maharajakadai Police Station,
Krishnagiri District.
(Crime No.21 of 2026)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.21 of 2026 on the file of the respondent police.

For Petitioner : Mr.S.Esakkimuthu

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.01.2026 for the offences punishable under Sections 296(b), 351(2), 326(g) of BNS, in Crime No.21 of 2025, registered on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that he threw a Molotov cocktail and set fire to the 'Haystack' of the defacto complainant. Hence, a case has been registered against the petitioner and he was arrested.

3. The learned counsel appearing for the petitioner submitted that the petitioner is in judicial custody since 14.01.2026 and that the petitioner has no previous case pending against him. He further submitted that the petitioner has been falsely implicated, pointing out the delay in lodging the FIR and that he is ready to co-operate with the investigation. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the petitioner has no previous case and that the investigation is still pending. Hence, he opposed the grant of bail to the petitioner.

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

5. Considering the submissions made by the learned counsel on either side, the nature of the allegations, the fact that no one was injured in this case, the specific overt act attributed to the petitioner and that the petitioner has no previous case pending against him, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the 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 **Judicial Magistrate No.II, Krishnagiri**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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

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

[d] the petitioner shall not tamper with the evidence or witness 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 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 B.N.S.

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Judicial Magistrate No.II,
Krishnagiri.
- 2.The Inspector of Police,
Maharajakadai Police Station,
Krishnagiri District.
- 3.The Superintendent,
Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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