



CRL OP(MD) NO.1265 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.01.2026**

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THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 1265 of 2026

M.Senthil Kumar

Petitioner(s)

Vs

State Of Tamilnadu Rep By,
The Inspector Of Police,
Kottar Police Station
Kottar
Kanyakumari District.
Crime No. 1 of 2026

Respondent(s)

For Petitioner(s): Mr.Niranjan S. Kumar

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

Prayer: C-38B. For Bail in Crime No. 1 of 2026 on the file of the
respondent Police.

ORDER

The petitioner/Accused No.1, who was arrested and remanded to
judicial custody on 02.01.2026 for the offences punishable under
Sections 194(3) of BNSS in Crime No.1 of 2026, on the file of the
respondent police, seeks bail.

1/5



CRL OP(MD) NO.1265 of 2026

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2. The case of the prosecution is that the defacto complaint is the biological mother to the deceased and the deceased was legally adopted to one another way back to a decade. In such circumstance, the deceased has acquainted with Accused No:1/ Senthil Kumar and have loved each other and also legally wedded in the year 2021. Out of their matrimonial life, the deceased has given a birth to a baby female child who's aged about 3 years old. The deceased husband has been working as employee in the trust run by the accused namely Sahaya Vithya and both of them developed the extra-marital relationship with each other and the deceased came to know about their extra marital relationship through another employee of the Trust. When it was questioned by the deceased to her husband namely Senthil Kumar, thereby, quarrel arose between the deceased and her husband. On the instigation of the Accused No: 2, the deceased's husband started to harsh the deceased and abetted. In such circumstance, the deceased has committed suicide by herself on 31.12.2025 and she was declared dead. Hence, this case.

3. Taking into consideration of the facts and circumstances of the case and also considering the period of incarceration suffered by



CRL OP(MD) NO.1265 of 2026

the petitioner, this Court has already granted interim bail to the petitioner vide order, dated 23.01.2026.

4. The learned Counsel appearing for the petitioner submitted that the petitioner has already executed bond and sureties and submitted the same before the Trial Court, based on the earlier order, dated 23.01.2026.

5. The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner has already granted interim bail.

6. Therefore, this Court is inclined to grant bail to the petitioner. Hence, the earlier order, dated 23.01.2026, is made absolute. The sureties already submitted before the Trial Court shall hold good on further conditions that,

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



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CRL OP(MD) NO.1265 of 2026

b) the petitioner shall not tamper with evidence or witness;

c) the petitioner shall not abscond during trial;

d) 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].

e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

28.01.2026

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CRL OP(MD) NO.1265 of 2026

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To

1. The Inspector Of Police,
Kottar Police Station,
Kottar,
Kanyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
3. The Judicial Magistrate Court-II,
Nagercoil.
4. The Superintendent,
District Jail,
Nagercoil, Kanyakumari.