



CRL OP(MD). No.1734 of 2026

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

Date : 30/01/2026

PRESENT

The HONOURABLE **MRS. JUSTICE S.SRIMATHY**

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Deivaraj @ Dheivaraj,
S/o. Dharmaraj,
Door No. 1/5, Colony Street,
Chellampatty,
Kovilankulam Village,
Usilampatty Taluk,
Madurai District.
Now Residing At,
Ambet. ... Petitioner/Accused

Vs

State of Tamilnadu Rep by In,
Spector of Police,
Allinagaram, Police Station,
Theni District.
(Crime No. 37 of 2026)..
... Respondent/Complainant

For Petitioner : Mr.D.Rajaboopathy,
Advocate.

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



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PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

C-33B. For Bail in Crime No. 37 of 2026 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 15.01.2026 for the offences punishable under Sections 115(2), 296(b) and 351(3) of BNS, 2023, 4 of TNPHW, Act and Section 9(B)(1)(b) of the Indian Explosives Act, 1884, in Crime No.37 of 2026, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there is a dispute between the husband and wife. The defacto complainant is the wife of the petitioner. On 14.01.2026, at about 10.30 p.m., the petitioner abused her in filthy language and also assaulted with petrol bomb exploded in a bottle in auto belonging to one Ramasamy. Hence, the complaint.

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WEB COPY 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 15.01.2026. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner has four previous cases. He further submitted that no one sustained any injury. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and inspite of four previous cases pending against the petitioner, considering the period of incarceration suffered by the petitioner and no one sustained any injury, this Court is inclined to grant bail to the petitioner, subject to the following conditions:



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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, Theni, 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;

[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



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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.

30.01.2026

vsg



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TO

- 1.The learned Judicial Magistrate, Theni.
- 2.The Officer-in-charge,
District Jail, Thegampatti,
Theni District.
- 3.The INspector of Police,
Allinagaram Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S. SRIMATHY, J. ,

vsg

ORDER
IN
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