



CRL OP(MD). No.2857 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/02/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.2857 of 2026

M.Sanjay

... Petitioner/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
All Women Police Station, Thoothukudi,
Thoothukudi District.
(Crime No. 5 of 2026).

... Respondent/Complainant

For Petitioner : Mr.S.Muthu Malai Raja

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.5 of 2026 on the file of the respondent police.



CRL OP(MD), No.2857 of 2026

ORDER : The Court made the following order :-

WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 10.01.2026 for the offences punishable under Sections 296, 329(1), 49, 64, 351(3) of BNS, 2023 and Section 25(1A) of Arms Act, in Crime No.5 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 09.01.2026, the petitioner, along with the co-accused, allegedly abused the defacto complainant, trespassed into her house, and the first accused committed rape, while the other accused allegedly accompanied him and threatened the complainant with an aruval. 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 10.01.2026. Hence, he seeks bail to the petitioner.



CRL OP(MD), No.2857 of 2026

4. The learned Additional Public Prosecutor submitted that there was a previous motive between the petitioner and the victim's brother. The specific overt act against the petitioner is that he was waiting outside. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also considering the specific overt act against the petitioner that he was waiting outside, 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) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Thoothukudi, Thoothukudi District, 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.



WEB COPY



CRL OP(MD), No.2857 of 2026

[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 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.

(S S Y J)
12.02.2026

jbr



CRL OP(MD), No.2857 of 2026

TO
WEB COPY

1. The Judicial Magistrate No.IV,
Thoothukudi, Thoothukudi District.
2. The Superintendent, District Jail,
Perurani,
3. The Inspector of Police,
All Women Police Station, Thoothukudi,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD), No.2857 of 2026

S.SRIMATHY,J

jbr

ORDER
IN
CRL OP(MD) No.2857 of 2026

Date : 12/02/2026