



CRL OP(MD). No.3068 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

(Criminal Jurisdiction)

Date : 13/02/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD) . No.3068 of 2026

Ponnuthai @ Radha ... Petitioner/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Theni Police Station,
Theni District.
Crime No.28 of 2026..

... Respondent/Complainant

For Petitioner : A.Uthaya Kumar,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

C-8B. For Bail in Crime No.28 of 2026 on the
file of the Respondent Police.

ORDER : The Court made the following order :-



CRL OP(MD). No.3068 of 2026

WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 29.01.2026 for the offences punishable under Sections 126(2), 296(b), 118(1) and 109(1) of BNS, 2023, altered into Sections 191(2), 61(2), 126(2), 296(b), 118(1) and 109(1) of BNS, 2023, in Crime No.28 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to land dispute, the petitioner abused the defacto complainant using filthy language and attacked him using iron rod and caused injuries. 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 29.01.2026. Hence, he seeks bail to the petitioner.



CRL OP(MD). No.3068 of 2026

4. The learned Additional Public Prosecutor submitted that the petitioner has no previous cases and injured discharged from hospital. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and since injured has already been discharged 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) 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



CRL OP(MD). No.3068 of 2026

WEB COPY

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., for a period of one week and thereafter as and when required;

[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];



CRL OP(MD). No.3068 of 2026

[f] If the accused thereafter absconds,

WEB COPY

a fresh FIR can be registered under
Section 9 BNS.

13.02.2026

2/2

PJL

TO

1. Judicial Magistrate, Theni.
2. Do-Through The Chief Judicial Magistrate,
Theni District.
3. The Superintendent,
Central Prison for Women, Madurai.
4. The Inspector of Police,
Theni Police Station,
Theni District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL OP(MD). No.3068 of 2026

S.SRIMATHY, J

PJL

ORDER
IN
CRL OP (MD) No.3068 of 2026

Date : 13/02/2026