



CRL OP(MD). No.3123 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 16/02/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.3123 of 2026

Xavier @ Xavier Raj

... Petitioner/Accused

Vs

State of Tamilnadu Rep by,  
The Inspector of Police,  
Sivakasi East Police Station,  
Virudhunagar District.  
Crime No.61/2026.

... Respondent/Complainant

For Petitioner : Mr.S.M.Anantha Murugan

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.61/2026 on the file of the respondent Police.

1/6



CRL OP(MD), No.3123 of 2026

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 19.01.2026 for the offences punishable under Sections 361(2), 318(2), 318(4), 336(2), 336(3), 340(2), 296(b), 351(2) and 3(5) of BNS, 2023, in Crime No.61 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that Accused Nos. 1 to 3 executed a sale deed in favour of the defacto complainant and his wife vide Document No. 9946/2025, registered at the Sub-Registrar Office, Sivakasi. Thereafter, the defacto complainant came to know that the land did not belong to Accused Nos. 1 to 3. Hence, the complaint was lodged.

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 19.01.2026. He further submitted that the co-accused have already granted anticipatory bail. Hence, he seeks bail to the petitioner.



WEB COPY

4. The learned Additional Public Prosecutor submitted that the petitioner acted as a broker. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the fact that the co-accused have already been granted anticipatory bail 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 Court No.II, Sivakasi, Virudhunagar 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.



CRL OP(MD), No.3123 of 2026

[b] the petitioner is directed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only), to the credit of Crime No.61 of 2026 before the learned Judicial Magistrate No.II, Sivakasi. After receipt of entire amount, the learned Judicial Magistrate, shall deposit the said amount in an interest bearing Fixed Deposit in any Nationalized Bank initially for a period of one year and renew them periodically until the final order/Judgment is passed in the case in Crime No.61 of 2026. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders. The petitioner is directed to appear before mediation.

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take



WEB COPY



CRL OP(MD), No.3123 of 2026

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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

(S S Y J)  
16.02.2026

jbr

TO

1. The Judicial Magistrate Court No.II, Sivakasi, Virudhunagar District.
2. The Superintendent, District Jail, Virudhunagar.
3. The Inspector of Police, Sivakasi East Police Station, Virudhunagar District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

5/6



WEB COPY



CRL OP(MD), No.3123 of 2026

S.SRIMATHY,J

jbr

ORDER  
IN  
CRL OP(MD) No.3123 of 2026

Date : 16/02/2026