



CRL OP(MD). No.3447 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.02.2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD).No.3447 of 2026

Sabari Selvam @ Muhammad Shareef

..Petitioner/ Accused

Vs

**The State of Tamil Nadu,
Rep by the Inspector of Police,
Vadasery Police Station,
Kanniyakumari District.
(Crime No.708 of 2015)**

.. Respondent/Complainant

For Petitioner : Mr.G.Aravinthan

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in C.C.No.255 of 2018 on the file of the learned Judicial Magistrate Court No.II, Nagercoil, Kanniyakumari District, in Crime No.708 of 2015 on the file of the respondent police.



CRL OP(MD). No.3447 of 2026

ORDER : This Court made the following order :-

WEB COPY

The petitioner / Accused, who was arrested and remanded to judicial custody on 12.01.2026 for the offences punishable under Sections 394 of IPC, in C.C.No.255 of 2018 on the file of the learned Judicial Magistrate Court No.II, Nagercoil, Kanniyakumari District, in Crime No.708 of 2015 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that after the registration of the case in Crime No.708 of 2015 and the respondent police have completed the investigation and filed a charge sheet in C.C.No.255 of 2018 before the learned Judicial Magistrate No.II, Nagercoil, Kanniyakumari District. He further submitted that due to non-appearance of the petitioner, the trial Court has issued NBW against the petitioner and the same was executed on 12.01.2026. He further submitted that the petitioner undertakes that he will not abscond and he will regularly appear before the Trial Court on hearing dates without fail. He further submitted that the petitioner is in judicial custody from 12.01.2026. Hence, he seeks bail.



CRL OP(MD). No.3447 of 2026

3. The learned Additional Public Prosecutor submitted that the petitioner failed to appear before the trial Court, due to which the trial Court had issued Non Bailable Warrant to the petitioner. He further submitted that there is one previous case pending against the petitioner. Hence, he vehemently opposed for grant of bail to the petitioner.

4. Taking into consideration of the facts and circumstances of the case 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:

5. 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, Nagercoil, Kanniyakumari District, and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or



CRL OP(MD). No.3447 of 2026

Bank pass Book to ensure their identity.

(b) the petitioner shall appear before the trial Court daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required.

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

[d] the petitioner shall not tamper with evidence or witness 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 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)
18.02.2026

msrm



CRL OP(MD). No.3447 of 2026

To

WEB COPY

1. The learned Judicial Magistrate Court No.II,
Nagercoil, Kanniyakumari District.
2. The Superintended, District Prison,
Nagercoil, Kanniyakumari District.
3. The Inspector of Police,
Vadasery Police Station,
Kanniyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD). No.3447 of 2026

S.SRIMATHY,J.

msrm

ORDER
IN
CRL OP(MD) No.3447 of 2026

Dated : 18.02.2026