



CRL OP(MD). No.3467 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.02.2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.3467 of 2026

Vaikundam

... Petitioner / Sole Accused

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.
(Crime No.125 of 2026)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the BNSS, 2023, to enlarge the petitioner on bail in the event of arrest in Crime No.125 of 2026 on the file of the respondent police or on his appearance.

For Petitioner : Mr.M.Sathish Kumar

For Respondent : Mr.S.S.Manoj,
Government Advocate
(Criminal Side)



CRL OP(MD). No.3467 of 2026

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police in Crime No.125 of 2026 for the offence punishable under Sections 126(2), 296(b), 115(2), 118(1), 109 and 351(3) of the Bharatiya Nyaya Sanhita, 2023, and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 1998, seeks anticipatory bail.

2. The case of the prosecution is that, on 12.02.2026, the petitioner, due to previous enmity, abused the defacto complainant and her husband in filthy language, assaulted them with an iron rod, and caused injuries. Thereafter, the defacto complainant was admitted to the hospital. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He further submitted that the petitioner will abide by any conditions that may be imposed by this Court. Accordingly, he prayed for the grant of anticipatory bail to the petitioner.



CRL OP(MD). No.3467 of 2026

WEB COPY

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner assaulted the defacto complainant with an iron rod. He further submitted that the injured has been discharged from the hospital. Accordingly, he objected to the grant of anticipatory bail to the petitioner.

5. This Court heard the learned counsel on either side and perused the materials placed on record.

6. Taking into consideration the facts and circumstances of the case, and also considering that the injured has already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, this petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order made ready, before the learned Judicial Magistrate No.I, Srivaikundam,



CRL OP(MD). No.3467 of 2026

Thoothukudi District, on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 Aadhar 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 fifteen days and thereafter, as and when required for interrogation;

(c) the petitioner shall not tamper with 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 released on



CRL OP(MD). No.3467 of 2026

WEB COPY

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]***; and

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

26.02.2026

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To

- 1.The Judicial Magistrate No.I,
Srivaikundam,
Thoothukudi District.
- 2.The Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD). No.3467 of 2026

S.SRIMATHY,J.

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ORDER
IN
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