



CRL OP(MD). No.3744 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/02/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Esakki Raj,
S/o.Mariappan,
Shanmugapuram Street,
Kurumpala Beri,
Tenkasi District.
(Now Confined at Central Prison,
Palayamkottai.).

... Petitioner/Accused

Vs

State of Tamilnadu Rep by In,
Spector of Police,
Pavoorchatram Police Station,
Tenkasi District.
Crime No.36/2026..

... Respondent/Complainant

For Petitioner : Mr.R. Manojkumar,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER :-

C-8B For Bail in Crime no.36/2026 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 18.01.2026 for the offences punishable under Sections 296(b), 118(1), 118(2), 109(1) and 351(3) of BNS, 2023, (corresponding IPC Sections 294(b), 324, 326, 307 and 506(ii) of IPC), in Crime No.36 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity between the parties, the petitioners attacked the defacto complainant and his brother with Aruval and caused grievous injuries. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person



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and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 18.01.2026. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner has no previous cases and there is no specific overtact against the petitioner. 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 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, Tenkasi, and on



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further conditions that :-

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[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.

[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



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SCW 5560].

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

(S S Y J)
23.02.2026

vsg

TO

- 1.The Judicial Magistrate Court,
Tenkasi.
- 2.The Superintendent,
Central Prison,
Palaiyamkottai.
- 3.The Inspector of Police,
Pavoorchatram Police Station,
Tenkasi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S . SRIMATHY , J . ,

vsg

ORDER
IN
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