



CRL OP(MD). No.3862 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 24/02/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Vijikaran

... Petitioner/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Viralmalai Police Station,
Pudukkottai District.
Crime No.36 of 2026.

... Respondent/Complainant

For Petitioner : Dhilipan Pandian R L,
Advocate.

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

For Intervenor/Defacto
Complainant : Mr.P.Kalaiyarasan

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

C-38B. For Bail in Crime no.36 of 2026 on the
file of the Respondent Police.

ORDER : The Court made the following order :-



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WEB COPY The petitioner, who was arrested and remanded to judicial custody on 03.02.2026 for the offences punishable under Sections 194 @ 108 of BNS, 2023, in Crime No.36 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the deceased belonged to different community and they loved each other, but their family members did not agree for the same. The specific allegation against the petitioner is that the petitioner had instigated, abetted and intentionally provoked the deceased to commit suicide. 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 ready and willing to marry the deceased. But the deceased's family members refused for the marriage. Further, the petitioner is in



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judicial custody from 03.02.2026. Hence, he seeks bail to the petitioner.

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

5. The learned counsel for the intervenor/defacto complainant submitted that after betrothal function, the petitioner had committed penetrative sexual assault on the deceased and also aborted the pregnancy and also he has personal photographs and videos of the deceased. Further, the petitioner refused to marry her after aborting the pregnancy two times which led her to commit suicide. Hence, he opposed to grant bail to the petitioner.

6. Taking into consideration of the facts and circumstances of the case and considering the nature of offence and also considering the period of incarceration suffered by the petitioner, this Court



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is inclined to grant bail to the petitioner, **subject**
to the condition that the petitioner shall handover
his mobile phone in which he has stored the
photographs and videos of the deceased in addition to
the following conditions:

7. 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 District Munsif cum Judicial Magistrate, Viralimalai, 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;

[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



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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];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 9 BNS.

24.02.2026
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1. District Munsif cum Judicial Magistrate,
Viralimalai.
2. Do-Through The Chief Judicial Magistrate,
Pudukottai District.
3. The Superintendent, District Jail, Pudukkottai.
4. The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY, J

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ORDER
IN
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