



CRL OP(MD). No.5348 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE P.DHANABAL

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1.M.Senthil Saravanan

2.Esakki

... Petitioners / A1 and A5

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Moolakaraipatti Police Station,
Tirunelveli District.
(Crime No.100 of 2026)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 483 of the BNSS, 2023, to enlarge the petitioners on bail in Crime No.100 of 2026 on the file of the respondent police.

For Petitioners : Mr.S.Suresh Manickam,
Advocate

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor



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ORDER : The Court made the following order :-

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The petitioners/accused, who were arrested and remanded to judicial custody on 25.02.2026 for the offences punishable under Sections 189(2), 191(3), 232, 296(b), 329(4) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, Section 3 of the TNPPDL Act, and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.100 of 2026 on the file of the respondent police, seek grant of bail.

2. The case of the prosecution is that, on 22.02.2026, the petitioners, along with some other accused persons, unlawfully assembled and trespassed into the house of the defacto complainant, damaged household articles, and harassed the defacto complainant. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and have not committed any offence as alleged by the prosecution. He would further submit that, due to a civil dispute, the defacto complainant has foisted a false case against the petitioners. He would further submit that the petitioners have been in



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judicial custody from 25.02.2026. Hence, he seeks grant of bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the first petitioner has five previous cases and the second petitioner has no previous cases. He would also submit that the accused persons damaged the dwelling house and car belonging to the defacto complainant. Therefore, he opposed the grant of bail to the petitioners.

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

6. Considering the rival submissions made by the learned counsel on either side, the nature of the offence, the fact that though the petitioners have some previous cases, bail has been granted in all those cases, and also considering the period of incarceration already undergone by the petitioners, this Court is inclined to grant bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petition is allowed and the



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petitioners are ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate Court, Nanguneri, and on further conditions that :-

[b] the petitioners shall report before the Trial Court on all working days at 10.30 a.m. until further orders;

[c] the petitioners shall not commit any offence similar to the offence of which they are accused, or suspected, or of the commission of which they are suspected;

[d] the petitioners shall not abscond either during investigation or trial;

[e] the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

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



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action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]***; and

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

24.03.2026

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To

- 1.The Judicial Magistrate Court,
Nanguneri.
- 2.The Superintendent,
Central Prison,
Palayamkottai.
- 3.The Inspector of Police,
Moolakaraipatti Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL,J.

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