



CRL OP(MD). No. 5884 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25.03.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Stephen

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Devathanapatti Police Station
Theni.
(Crime No. 159 of 2026)

...Respondent/Complainant

For Petitioner : Mr.A.Uthaya Kumar
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 159 of 2026 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 12.03.2026 for the offences punishable under Sections 126(2), 296(b), 115(2), 118(1), 109(1), 326(f), 351(3) of BNS, 2023 in Crime No. 159 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the defacto complainant have previous enmity regarding the running of TASMACH bar, due to which on 10.03.2026, the petitioner and other accused persons abused the defacto complainant and his employer in filthy language and thrown the petrol bomb into the shop and attacked the defacto complainant and his employers with iron rod and damaged the shop. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He would further submit that he has been arrested and remanded to judicial



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custody on 12.03.2026. Therefore, prayed to grant bail for the petitioner.

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4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is a history sheeter and he has 15 previous cases, out of which four cases are still pending and the injured was discharged from the hospital and hence, he strongly opposed to grant bail to the petitioner.

5. This Court heard both sides and perused the materials available on record.

6. Considering the rival submissions made by the learned counsel on either side, nature of offence, and considering the facts that the injured was discharged from the hospital and though the petitioner is having 15 previous cases, in all cases the petitioner was released on bail and some of the cases were disposed of and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:



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[a] Accordingly, the petitioner is ordered to be released on bail on condition to 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 learned Judicial Magistrate, Periyakulam, and on further conditions that:

[b] the petitioner shall stay at Madurai and report before the Inspector of Police, Thallakulam Police Station, Madurai, daily at 10.30 a.m., until further orders.

[c] the petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/she is suspected;

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

[e] the petitioner 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 her 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



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learned Judicial 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].

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

(P D B J)
25.03.2026

apd

To

- 1.The learned Judicial Magistrate, Periyakulam.
- 2.The Inspector of Police,
Devathanapatti Police Station
Theni.
3. The Inspector of Police
Thallakulam Police Station
Madurai.
4. The Superintendent, District Prison, Thekkampatti, Theni.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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P. DHANABAL, J

apd

ORDER
IN
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