



CRL OP(MD). No. 5939 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.03.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Dhivagar @ Anniyan Dhivakar.

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Thanjavur Town East Police Station,
Thanjavur District.
(Crime No. 722 of 2024)

...Respondent/Complainant

For Petitioner : Mr.K.M.Karunakaran
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 722 of 2024 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 28.02.2026 for the offences punishable under Sections 296(b), 132, 351(3) of BNS r/w Section 25(1B)(a) of Arms Act in Crime No. 722 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 20.07.2024, the petitioner was in illegal possession of deadly weapon. 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 custody on 28.02.2026. Therefore, prayed to grant bail for the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the occurrence took place on 20.07.2024 and after registering FIR, the petitioner was arrested and thereafter, released on bail. After investigation, charge sheet was filed and the same



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is taken on file in S.C.No.48 of 2025 by the I Additional District and Sessions Judge (PCR), Thanjavur and thereafter, the petitioner was arrested on 28.02.2026 under P.T.Warrant. He would further submit that the petitioner is a history sheeter and is having 23 previous cases, out of which in five cases the petitioner was acquitted 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 fact that nobody was injured in this case and investigation is completed and charge sheet was filed and the same is taken on file in S.C.No.48 of 2025 by the I Additional District and Sessions Judge (PCR), Thanjavur and though the petitioner is having 23 previous cases, out of which in five cases the petitioner was acquitted and in all cases the petitioner was granted bail and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to



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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 I Additional District and Sessions Judge (PCR), Thanjavur, and on further conditions that:

[b] the petitioner shall report before the learned I Additional District and Sessions Judge (PCR), Thanjavur on all working days 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



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the evidence;

[f] On breach of any of the aforesaid conditions, the 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)
26.03.2026

apd

To

- 1.The I Additional District and Sessions Judge (PCR),
Thanjavur.
- 2.The Inspector of Police,
Thanjavur Town East Police Station,
Thanjavur District.
3. The Superintendent, Central Prison, Trichy.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

5/6



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P. DHANABAL, J

apd

ORDER
IN
CRL OP(MD) No. 5939 of 2026

Date : 26.03.2026