



CRL OP(MD). No. 5992 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Sakthival

...Petitioner/Accused-1

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Kadalkudi Police Station
Kadalkudi
Thoothukudi.
(Crime No. 3 of 2026)

...Respondent/Complainant

For Petitioner : Mr.N.Pragalathan
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 3 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 18.01.2026 for the offences punishable under Sections 103 & 238 of BNS, 2023 in Crime No. 3 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 04.01.2026, defacto complainant's mother was missing and on 11.01.2026, the defacto complainant found the dead body of the defacto complainant's mother and lodged a complaint that due to civil dispute, the petitioner and the other accused were murdered the defacto complainant's mother. 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 the petitioner's name is not mentioned in FIR. He would further submit that he has been arrested and remanded to judicial custody on 18.01.2026. Therefore, prayed to grant bail for the



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petitioner.

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4. The learned Additional Public Prosecutor appearing for the respondent would submit that due to civil dispute, the petitioner and the other accused were murdered the defacto complainant's mother, due to which a case has been registered in Cr.No.3 of 2026 for the offences under Sections 103 & 238 of BNS, 2023 and the investigation is almost completed and the petitioner has no previous case. He would further submit that the offences are grave in nature 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 petitioner is an unnamed accused and the petitioner has no previous case and moreover, in this case investigation is completed and also considering the period of incarceration undergone by the petitioner, this



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Court is inclined to grant bail to the petitioner subject to the following conditions:

[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, Vilathikulam, and on further conditions that:

[b] the petitioner shall report before the learned Judicial Magistrate, Vilathikulam, 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



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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 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)
07.04.2026

apd

To

- 1.The Judicial Magistrate, Vilathikulam.
- 2.The Inspector of Police,
Kadalkudi Police Station
Thoothukudi.
3. The Superintendent, Central Prison, Palayamkottai.
- 4.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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