



CRL OP(MD). No.7206 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 10/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.7206 of 2026

Y.Jesus Bharath

... Petitioner/Petitioner/
Accused No.4

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Kanyakumari Police Station,
Kanniyakumari District.
Crime No.210 of 2018.

... Respondent/Respondent/
Complainant

PRAYER :-

For Bail in Crime no.210 of 2018 on the file of the Respondent Police.

For Petitioner : M.Lavanya,
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

ORDER : The Court made the following order :-



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The petitioner /4th Accused, who was arrested and remanded to judicial custody on 12.11.2025 for the offences punishable under Sections 294(b), 395, 397 & 34 of IPC, in Crime No.210 of 2018 on the file of the respondent police, seeks bail.

2.The petitioner is accused in Crime No.210 of 2018. During investigation, he was released on bail. After completion of investigation, final report was filed before the learned Judicial Magistrate No.I, Nagercoil, and the same was taken on file in PRC.No.2 of 2021. Due to non-appearance of the petitioner, Non-bailable warrant was issued against him on 28.04.2025 and thereafter, the case was transferred to the learned Principal Sessions Judge, Kanyakumari at Nagercoil, and renumbered as S.C.No.278 of 2025 and the petitioner was remanded to judicial custody on 12.11.2025. Hence, this petition.

3. It is not in dispute that since the petitioner has not turned up for the hearing, Non-Bailable Warrant (NBW) was ordered to be issued on 28.04.2025 and the same was executed on 12.11.2025 and he is still in judicial custody.



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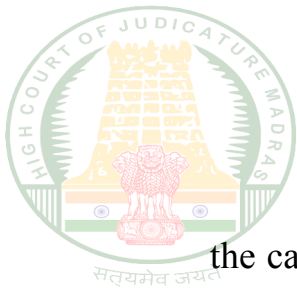
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4. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody 12.11.2025. Therefore, he prayed to grant bail to the petitioner.

5. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that due to non-appearance, the Non-Bailable Warrant was issued against the petitioner. Hence, he strongly opposed to grant bail to the petitioner.

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

7. Considering the rival submissions made by the learned counsel on either side, nature of offence, and considering the fact that already the petitioner was granted bail and thereafter, due to non-appearance, NBW was issued on 28.04.2025 and the same was executed on 12.11.2025 and



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the case in S.C.No.278 of 2025 was posted for trial 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:

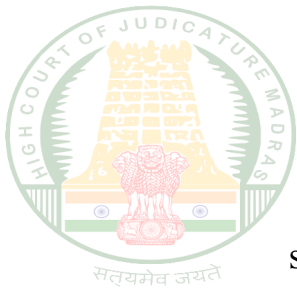
[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Principal Sessions Judge, Kanyakumari at Nagercoil, and on further conditions that:

[b] the petitioner shall report before the learned Principal Sessions Judge, Kanyakumari at Nagercoil, on all working days Morning 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)
10.04.2026

dss



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P. DHANABAL,J

DSS

To

- 1.The learned Principal Sessions Judge, Kanyakumari at Nagercoil,
- 2.The Inspector of Police,
Kanyakumari Police Station, Kanniyakumari District.
3. The Superintendent,
Central Prison, Palayamkottai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.7206 of 2026

Date : 10/04/2026