



CRL OP(MD). No. 7304 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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1.Surya

2.Mohamed Pasith ...Petitioner/A1 and A2

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
(Crime No.89 of 2026)

...Respondent/Complainant

For Petitioner:Mr.S.Veerapandiselvaraj

For Respondent:Mr.B.Nambi Selvan

Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 89 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 petitioners/A1 & A2, who were arrested and remanded to judicial custody on 15.03.2026 for the offences punishable under Sections 109, 126(2), 191(2), 191(3), 296(b) and 351(3) of BNS, 2023, in Crime No.89 of 2026 on the file of the respondent police, seek bail.

2.The case of the prosecution is that due to previous enmity, the petitioners along with other accused persons abused him in filthy language and also assaulted him with deadly weapons and caused grievous injuries. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they were falsely implicated in this case and they are no way connected in the above said incident. He has not committed any offence as alleged by the prosecution. He would further



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submit that the co-accused was already released on bail. The petitioners have been arrested and remanded to judicial custody on 15.03.2026. Hence, he prays to grant bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the first petitioner has three previous cases and the second petitioner has no previous cases. Hence, he opposed to grant bail to the petitioners. However, the injured person has been discharged from the hospital.

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 though the first petitioner has three previous cases, in all



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cases, bail was granted to him and the second petitioner has no previous cases and the co-accused was already granted bail and the injured person has been discharged from the hospital and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioners subject to the following conditions:

[a] Accordingly, the petitioners are 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 No.II, Thanjavur, and on further conditions that:

[b] the petitioners shall report before the respondent Police daily at 10.30 a.m., until further orders.



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[c] the petitioners shall not commit any offence similar to the offence of which she is accused, or suspected, or of the commission of which she is 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 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 learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the



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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)

15.04.2026

vsg

To

1.The learned Judicial Magistrate No.II,
Thanjavur.

2.The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.

3.The Officer-in-Charge, Sub Jail, Thanjavur.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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vsg

ORDER
IN
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