



CRL OP(MD). No. 7478 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Samy

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Alangulam Police Station,
Tenkasi District.
(Crime No. 46 of 2026)

...Respondent/Complainant

For Petitioner : Mr.S.Sathyachidambaram
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 46 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-



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The petitioner/A2, who was arrested and remanded to judicial custody on 28.01.2026 for the offences punishable under Sections 126(2), 296(b), 109(1) and 326(g) of BNS, 2023 and Section 3 of Explosive Substances Act, 1908, in Crime No.46 of 2026 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is a lorry driver and he has been working in Tarus lorry bearing Registration No.TN-S2-AD-4749 belonging to Tamilselvan of Dharmapuri. The said vehicle was engaged on contract basis for road work at Kollam, Kerala. As part of his employment, the defacto complainant used to transport baby jely stones from MARIS quarry situated south of Maruthamputhur near Alangulam to Kollam, Kerala. On 27.01.2026 at about 01.30 a.m., after loading baby jelly stones from the said quarry, the defacto complainant was proceeding in the above vehicle on the Mukkoodal Maruthamputhur Road. When the vehicle reached about 50 meters west of Sevalapperi Sudalai temple, the petitioner and other accused person threw the burning bottle containing inflammable substance and the bottle broke and caused fire injury on the body of the defacto complainant.



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Hence, the complaint.

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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 the FIR and based on the suspicion, he has been arrayed as accused. He would further submit that he has been arrested and remanded to judicial custody on 28.01.2026. Therefore, prayed to grant bail for the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that based on the complaint lodged by the defacto complainant, the case has been registered under Sections 126(2), 296(b), 109(1) and 326(g) of BNS, 2023 and Section 3 of Explosive Substances Act, 1908, in Crime No.46 of 2026. He would further submit that the investigation has been completed. He would further submit that the petitioner has two previous cases. He would further submit that earlier, the petitioner was detained under Act 14 as 'Gundas' and the same was subsequently revoked. He would further submit that the



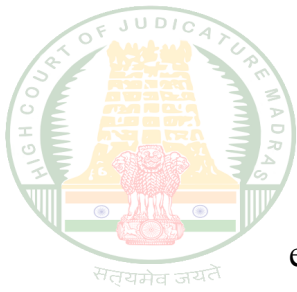
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offences are grave in nature and hence, he strongly opposed to grant bail to the petitioner.

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 not a named accused and the petitioner been arrayed as accused only based on the suspicion and earlier, the petitioner was detained under Act 14 as Gundas and the same was subsequently revoked and though two previous cases are pending against the petitioner, he was released on bail 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



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each for a like sum to the satisfaction of the learned Judicial Magistrate, Alangulam, Tenkasi, and on further conditions that:

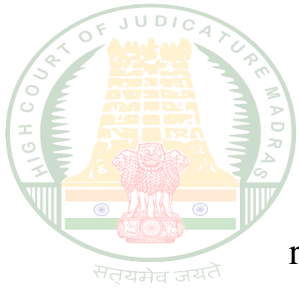
[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

[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 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



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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)
17.04.2026

apd

To

- 1.The Judicial Magistrate, Alangulam, Tenkasi.
- 2.The Inspector of Police,
Alangulam Police Station,
Tenkasi District.
3. The Superintendent, Central Prison, Palayamkottai, Tirunelveli.
- 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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