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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 7731 of 2026

Subburaj
...Petitioner/Sole Accused

Vs

State of Tamil Nadu rep by
The Inspector of Police,
Puliyangudi Police Station,
Tenkasi District.
(Crime No.157 of 2026)
...Respondent/Complainant

For Petitioner:Mr.P.Veerapandi
For Respondent:Mr.B.Nambi Selvan
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-For bail in Crime No. 157 of 2026 on the file of the respondent police.

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ORDER : The Court made the following order :-

The petitioner/Sole accused, who was arrested and remanded to judicial custody on 31.03.2026 for the offences punishable under Sections 109(1), 296(b) and 351(3) of BNS, 2023, in Crime No.157 of 2026 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to civil dispute between the petitioner's family and the defacto complainant's family, the defacto complainant's brother was murdered in the year 2025. The defacto complainant is an eye witness to that occurrence. Due to which, on the date of occurrence, the petitioner abused the defacto complainant with filthy language and also attempted the life of the defacto complainant and also threatened him not to give evidence before the Court against the petitioner. Hence, the complaint.

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3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he was falsely implicated in this case and he is no way connected in the above said incident. He has not committed any offence as alleged by the prosecution. The petitioner has been arrested and remanded to judicial custody on 31.03.2026. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the investigation is pending and the offences are grave in nature. He would further submit that the petitioner has two previous cases. Hence, he strongly opposed to grant bail to the petitioner. However, he fairly submits that no one sustained any injury.

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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 there was a civil dispute between the parties and thereby, a criminal case has been registered for murder of the relative of the defacto complainant and no one sustained any injury and though the petitioner has two previous cases, the same are not similar kind of offences and in all cases, he was released on bail and as the date of occurrence is 31.03.2026, by this time material part of the investigation might have been completed and also considering the period of incarceration undergone by the petitioner from 31.03.2026, this Court is inclined to grant bail to the petitioner subject to 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 Judicial Magistrate, Sivagiri, 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 she is accused, or suspected, or of the commission of which she is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

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[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 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].

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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

(P D B J)

21.04.2026

vsg

To

1.The Judicial Magistrate,Sivagiri.

2.The Inspector of Police,
Puliyangudi Police Station,
Tenkasi District.

3.The Superintendent,
Central Jail, Palayamkottai.

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

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P.DHANABAL, J.,

vsg

ORDER
IN
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