

CRL OP(MD). No.9369 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/06/2026

PRESENT

The HONOURABLE **MR. JUSTICE P. DHANABAL**

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Kesavamuthi @ Kesavamoorthy,
S/o. Thangaiyan,M
Cholapuram,
Kumbakonam Taluk,
Thanjavur District..

... Petitioner/Sole Accused
Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Cholapuram Police Station,
Thanjavur District.
Cr.No.392 of 2024..

... Respondent/Complainant

For Petitioner : Dr.R.Alagumani,
Advocate.

For Respondent : Mr.G.Ganesh Kumar,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- C-33B.To enlarge the petitioner on bail in S.C.No.119 of 2025 on the file of the learned Additional District and Sessions Judge, (Fast Track Court, Kumbakonam in Crime NO.392 of 2024 by the respondent police.



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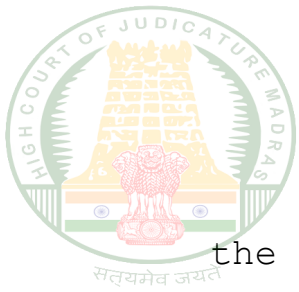
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ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 10.07.2024 for the offences punishable under Sections 296(b), 308(5) and 351(3) of BNS, 2023 and Section 25(1A) of Arms Act, in Crime No.392 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that, on 10.07.2024, the petitioner held a deadly weapon, threatened the public, and caused public nuisance. Hence, the complaint.

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



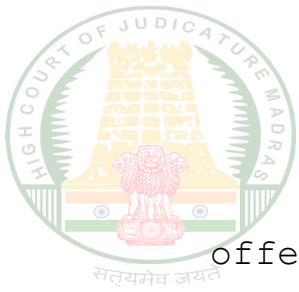
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the prosecution. The petitioner has been arrested and remanded to judicial custody on 10.07.2024. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the investigation has been completed and final report has been filed and now the case in S.C.No.119 of 2025 on the file of the learned Additional District and Sessions Judge, (Fast Track Court) Kumbakonam, is pending for taking cognizance. He would further submit that the petitioner has two previous cases. However, he vehemently, opposed to grant of bail.

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

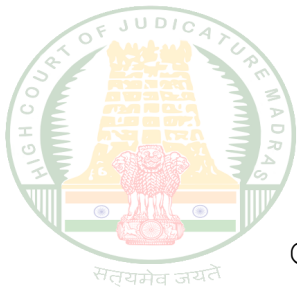


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offence, and considering the fact that the investigation has been completed and final report has been filed and now the case in S.C.No.119 of 2025 on the file of the learned Additional District and Sessions Judge, (Fast Track Court) Kumbakonam, is pending for taking cognizance and though the petitioner has some previous cases, the same are not similar kind of offence and in all cases, the petitioner was granted bail and also considering the period of incarceration undergone by the petitioner from 10.07.2024, 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 Additional District and Sessions Judge, (Fast Track



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Court) Kumbakonam, and on further

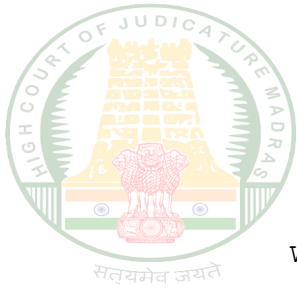
WEB COPY conditions that:

[b] the petitioner shall report before the learned Additional District and Sessions Judge, (Fast Track Court) Kumbakonam, once in a week ie., on Every Friday 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;

[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



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with the evidence;

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[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)
04.06.2026

VSG



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TO

- 1.The learned Additional District and Sessions Judge, (Fast Track Court) Kumbakonam.
2. The Superintendent, Central Prison, Trichy.
- 3.The Inspector of Police,
Cholapuram Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J. ,

vsg

ORDER
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