



CRL OP(MD). No. 9524 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20.05.2026

PRESENT

THE HONOURABLE MR. JUSTICE **R.VIJAYAKUMAR**

CRL OP(MD). No. 9524 of 2026

Mukesh @ Mugesh

...Petitioner/ Accused-2

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
South Tamaraikulam Police Station,
Kanyakumari.
(Crime No. 56 of 2026)

...Respondent/ Complainant

For Petitioner : Mr.V.Sasi Kumar
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 56 of 2026 on the file of the respondent police.

1/6



CRL OP(MD). No. 9524 of 2026

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 31.03.2026 for the offences punishable under Sections 91 and 105 of BNS, 2023 in Crime No. 56 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and A1 has sexual relationship, due to which A1 begot a baby and on 29.03.2026 at about 11.30 a.m., A1 left the new born baby in the backyard of the temple. Hence the case.

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 he has been arrested and remanded to judicial custody on 31.03.2026. Therefore, prayed to grant bail for the petitioner.



CRL OP(MD). No. 9524 of 2026

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 91 and 105 of BNS, 2023 in Crime No. 56 of 2026. He would further submit that the investigation is pending and the 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 all the facts and circumstances of the case 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



CRL OP(MD). No. 9524 of 2026

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 -III, Nagercoil, Kanyakumari, and on further conditions that:

[b] the petitioner shall report before the respondent police on every Monday 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



CRL OP(MD). No. 9524 of 2026

WEB COPY

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.

(R V J)
20.05.2026

apd

To

- 1.The Judicial Magistrate -III, Nagercoil, Kanyakumari.
- 2.The Inspector of Police,
South Tamaraikulam Police Station,
Kanyakumari.

5/6



WEB COPY



CRL OP(MD). No. 9524 of 2026

R.VIJAYAKUMAR, J

apd

3. The Superintendent, District Jail, Nagercoil at Kanyakumari.

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

ORDER
IN
CRL OP(MD) No. 9524 of 2026

Date : 20.05.2026