



CRL OP(MD). No.10496 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/06/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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Mukesh

... Petitioner/Accused

Vs

The State of Tamilnadu
Inspector of Police, South Police Station,
Thoothukudi District.
Cr.No.916 of 2025.

... Respondent/Complainant

For Petitioner : Mr.S.Muthu Malai Raja,

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner / sole accused on bail in S.C.No.237 of 2026 on the file of the First Additional District and Sessions Court, Thoothukudi, in Cr.No.916/2025 dated on 25.12.2025 on the file of the respondent police by allowing this petition.

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ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 25.12.2025 for the offences punishable under Section 103(1) of BNS in Crime No. 916 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased is the son of the defacto complainant. On 24.12.2025 during night hours, the deceased went out of his house with his friend and did not return back to the house. On the next day, he was found dead with serious injuries. On enquiry, it was revealed that the petitioner and other accused persons had murdered the deceased. 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 in this case, investigation has been completed, charge sheet filed and the case is posted for trial. The



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petitioner has been arrested and remanded to judicial custody on 25.12.2025. Therefore, prayed to grant bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that based on the complaint lodged by the defacto complainant, the case has been registered against the accused persons. Though the petitioner has no previous cases, considering the nature of grave offence, 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, the nature of the offence and the fact that now the case is pending for trial in SC No.237 of 2026 on the file of I Additional District and Sessions Court, Thoothukudi and further considering the fact that the petitioner has no previous cases to his credit and the co-accused have already been enlarged on bail, as well as the considerable period of



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incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

*[a] Accordingly, this Criminal Original Petition is allowed and 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 I Additional District & Sessions Judge, Thoothukudi**, and on further conditions that:*

*[b] the petitioner shall report before the **I Additional District & Sessions Judge, Thoothukudi** 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;



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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 him 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].

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

(P D B J)
09.06.2026

PNM



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TO

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1. The I Additional District & Sessions Judge, Thoothukudi
2. The Superintendent, District Jail, Perurani
3. The Inspector of Police, South Police Station, Thoothukudi
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL,J

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ORDER
IN
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