



-CRL OP(MD). No.10586 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 10/06/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.10586 of 2026

Babu

... Petitioner/ Accused No.1

Vs

1. The State of Tamilnadu Rep By,
The Inspector of Police,
Thuckalay Police Station,
Kanniyakumari District.
(Crime No.371 of 2025).

... Respondent/ Complainant

PRAYER :-

To enlarge the petitioner on bail in C.C.No.414 of 2025 filed before the Judicial Court No.1, Padmanabhapuram, in connection with in Crime No.371 of 2025 on the file of the respondent police.

For Petitioner : M.Dhinesh Kumar,
Advocate.

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

ORDER : The Court made the following order :-



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The petitioner / Accused, who was arrested and remanded to judicial custody on 20.04.2026 for the offences punishable under Sections 331(4) and 303(a) of BNS, 2023, in Crime No.371 of 2025 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner would submit that the petitioner was already released on bail and since the petitioner has not turned up for the hearing, Non-Bailable Warrant (NBW) was ordered to be issued on 18.03.2026 and the same was executed on 20.04.2026 and from onwards, he is in judicial custody. He would further submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. Hence, he prays to grant bail to the petitioner.

3. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that due to non-appearance, the Non-Bailable Warrant was issued against the petitioner on 18.03.2026 and the same was executed on 20.04.2026. He would further submit that the case in C.C.No.414 of 2025 on the file of the Judicial Magistrate No.I at Padmanabhapuram, is posted for examination of LW.3. Hence, he



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strongly opposed to grant bail to the petitioner.

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4. This Court heard both sides and perused the materials available on record.

5. Considering the rival submissions made by the learned counsel on either side, nature of offence, and considering the fact that already the petitioner was granted bail and thereafter, due to non-appearance, NBW was issued on 18.03.2026 and the same was executed on 20.04.2026 and now, the case in C.C.No.414 of 2025 was posted for examination of LW.3 and also considering the period of incarceration undergone by the petitioner from 20.04.2026, 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 Judicial Magistrate No.I at Padmanabhapuram, and on further conditions that:



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[b] the petitioner shall report before the Trial Court

on all working days 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 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

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(P D B J)
10.06.2026

dss

To

- 1.The Judicial Magistrate No.I at Padmanabhapuram.
- 2.The Inspector of Police,
Thuckalay Police Station, Kanniyakumari District.
3. The Superintendent, District Jail, Nagercoil.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL,J

DSS

ORDER
IN
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