



CRL OP(MD). No.11154 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/06/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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Abhiraj

... Petitioner/Accused

Vs

State of Tamilnadu Rep by
Inspector of Police,
Kaliyakkavilai Police Station,
Nagercoil, Kanyakumari District.
Crime No. 94 of 2026..

... Respondent/Complainant

For Petitioner : Mr.M.Dhinesh Kumar

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 94 of 2026 on the file of the respondent police.

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ORDER : The Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 26.04.2026 for the offences punishable under Sections 305, 331(4) of BNS, 2023, in Crime No.94 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 04.04.2026 at about 10.30 p.m., the accused allegedly trespassed into the house of the defacto complainant and committed theft of 36 sovereigns of gold ornaments and a sum of Rs.35,000/- in cash. 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 alleged stolen properties have already been recovered by the prosecution and charge sheet also filed before the concerned Court. The petitioner has been arrested and remanded to judicial custody on 26.04.2026. Therefore, prayed to grant bail for the petitioner.

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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. He would further submit that though the investigation has been completed, considering the nature of offence and previous antecedents of the petitioner, 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 the petitioner is not a named accused as per FIR and he has been roped in the case based on the confession of co-accused and further considering the fact that though the petitioner has previous cases to his credit, the petitioner has got bail in the previous cases registered against him and in this case, properties were already recovered by the prosecution and after the completion of investigation, charge sheet also filed before the



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concerned Court, as well as the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

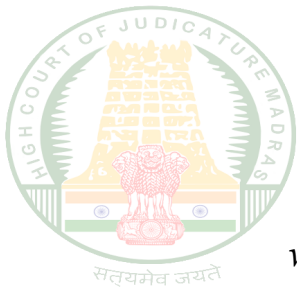
*[a] Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the **learned Judicial Magistrate No.I, Kuzhithurai**, and on further conditions that:*

*[b] the petitioner shall report before the **Judicial Magistrate No.I, Kuzhithurai** 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;

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted



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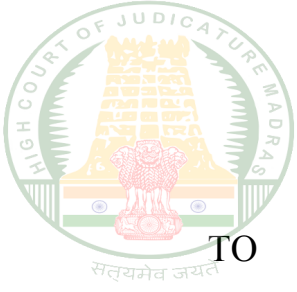
with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[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

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TO

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1. The Judicial Magistrate No.I, Kuzhithurai
2. Do-Through The Chief Judicial Magistrate,
Kanyakumari District.
3. The Superintendent, District Jail, Nagercoil.
4. The Inspector of Police, Kaliyakkavilai Police Station,
Nagercoil, Kanyakumari District.
5. 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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