



CRL OP(MD). No.11980 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/06/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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Balasubramanian @ Bala

... Petitioner/Accused

Vs

The State of Tamil Nadu,
Rep. by Its, the Inspector of Police,
All Women Police Station,
Srivaikundam, Thoothukudi District.
Crime No.20 of 2026..

... Respondent/Complainant

For Petitioner : Mr.N.Pragalathan

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No.20 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 01.06.2026 for the offences punishable under Sections 123, 318(2), 70(1), 351(2) of BNS in Crime No. 20 of 2026.. on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant and the petitioner/1st accused belonged to the same political party. On 03.05.2026 at about 03.00p.m., the petitioner promised the defacto complainant to arrange a job for her and they proceeded to meet the 2nd accused. While travelling in the Car, the petitioner gave a soft drink to the defacto complainant and after consuming the same, she suffered dizziness. Thereafter, the petitioner and the defacto complainant waited in the lodge in Ervadi, Ramanathapuram for the arrival of the 2nd accused. During the night hours, both the accused committed the offence of rape on the defacto complainant and also threatened her. Hence the case.



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3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and due to money dispute, 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 01.06.2026. 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. He would further submit that the petitioner is having 5 previous cases and investigation is not yet completed. Considering the grave nature of 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, nature of offence, age and relationship of the



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petitioner and the defacto complainant, and considering the facts that the statement of the defacto complainant under Section 183 of BNSS was recorded; that though the petitioner has previous cases to his credit, the petitioner has got bail in the previous cases registered against him 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, Srivaikundam, Thoothukudi District**, and on further conditions that:*

*[b] the petitioner shall report before the **respondent police 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;



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[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 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)
23.06.2026

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TO

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1. The Judicial Magistrate No.I, Srivaikundam, Thoothukudi District
2. The Superintendent, Sub Jail, Srivaikundam, Thoothukudi District.
3. The Inspector of Police,
All Women Police Station,
Srivaikundam, Thoothukudi District.
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
CRL OP(MD) No.11980 of 2026

Date : 23/06/2026