WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28-10-2026

CORAM

THE HON'BLE MR. JUSTICE K.MURALI SHANKAR

CRL OP(MD) No. 24375 of 2026

CNR:{HCMD011507652026}

Senthilkumar
S/o.Venugopal,
3/184, Amman Kovil Street,
Vannikonendal,
Tirunelveli District.

..Petitioner/
Accused No.3

Vs

State Of Tamilnadu Rep By
The Inspector Of Police,
Devarkulam Police Station,
Devarkulam,
Tirunelveli District.
Crime No. 342/2026.

..Respondent/
Complainant

PETITION FOR BAIL Under Section 483 BNSS.

Prayer : For Bail in Crime No.342 of 2026 on the file of the Respondent Police.

For Petitioner(s) :Mr.N.Pragalathan,
Advocate

For Respondent(s) :Mr.C.Susikumar,
Government Advocate (Crl. Side)

ORDER

The petitioner / third accused, who was arrested and remanded to

https://www.mhc.tn.gov.in/judis

WEB COPY

judicial custody on 24.08.2026 for the offences punishable under Sections 296(b), 109(1) and 351(3) BNS, in Crime No.342 of 2026, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there was a matrimonial dispute between the defacto complainant and the first accused's sister and that earlier, the defacto complainant had attacked the first accused's sister, in respect of which a case was registered against him and after coming out on bail, he again assaulted the first accused's sister and mother, due to the said motive, the petitioner along with the other accused attacked the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 24.08.2026.

4. It is not in dispute that earlier the petitioner along with other accused moved a petition for bail in Crl.O.P.(MD)No.21914 of 2026 and this Court, considering the submission made by the learned Additional Public Prosecutor that the present petitioner is having 4 previous cases

https://www.mhc.tn.gov.in/judis

WEB COPY

including for the offence under the POCSO Act and TNPPDL Act, has proceeded to dismiss the petition as against the present petitioner and granted bail to the other accused.

5. When the matter is taken up today, the learned Government Advocate (Criminal Side) appearing for the respondent police as well as the learned counsel appearing for the petitioner would submit that the accused Thavamani only is having 4 previous cases and that the present petitioner is not having any previous cases but it was mistakenly represented that the petitioner is having 4 previous cases.

6. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that they have already taken steps to cancel the bail granted to the said accused Thavamani.

7. Considering the above facts and circumstances and also the facts that the petitioner is in judicial custody from 24.08.2026, that the injured was already discharged from the hospital and that the petitioner is not having any previous cases, this Court is inclined to grant bail to the petitioner subject to the following conditions:

https://www.mhc.tn.gov.in/judis

WEB COPY

8. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.3, Tirunelveli, Tirunelveli District, and on further conditions that:

a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate / concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

b) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter, as and when required for interrogation;

c) the petitioner shall not tamper with the evidence or witness either during investigation or trial;

d) the petitioner shall not abscond either during investigation or trial;

e) On breach of any of the aforesaid conditions, the learned 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 is 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***

https://www.mhc.tn.gov.in/judis

WEB COPY

[(2005)AIR SCW 5560];

f) If the accused thereafter abscond, a fresh FIR can be registered under Section 269 BNS, 2023.

28-10-2026

CSM

To

1. The Judicial Magistrate No.3, Tirunelveli, Tirunelveli District.

2. Do through the Chief Judicial Magistrate, Tirunelveli.

3. The Superintendent, Central Prison, Palayamkottai, Tirunelveli District.

4. The Inspector Of Police, Devarkulam Police Station, Devarkulam, Tirunelveli District.

5. The Additional Public Prosecutor
   Madurai Bench of Madras High Court
   Madurai

https://www.mhc.tn.gov.in/judis

WEB COPY

K.MURALI SHANKAR, J.

CSM

CRL OP(MD) No. 24375 of 2026

28-10-2026

https://www.mhc.tn.gov.in/judis