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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

DATED: 23.10.2026

PRESENT

THE HON'BLE DR.JUSTICE P.MURUGAN

CRL OP(MD) No. 24146 of 2026

CNR:{HCMD011529382026}

Ajithkumar

..Petitioner

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
(Crime No.313 of 2026)

..Respondent

For Petitioner : Mr.R.Riyas Ahamed
Advocate

For Respondent : Mr.N.Balasubramanian
Government Advocate (Crl. Side)

PETITION FOR BAIL Under Section 483 of B.N.S.S.

PRAYER :-

For Bail in Crime No.313 of 2026 on the file of the Respondent Police.

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ORDER : The Court made the following order:-

The petitioner / A1, who was arrested and remanded to judicial custody on 30.09.2026 for the offence punishable under Section 303(2) of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.313 of 2026, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner, along with three others, had stolen two cows belonging to the de facto complainant and another person.

3. The learned Government Advocate (Criminal Side) appearing for the respondent police submits that there are four accused persons in this case. The petitioner is A1. A2 to A4 are juveniles. A2 was enlarged on bail by the Juvenile Justice Board. A3 and A4 are in the home. The learned Government Advocate (Criminal Side) appearing for the respondent police further submits that the two cows stolen by the accused persons have been sold by A1 in the market and the sale proceeds have been received by him.

4. Per contra, the learned counsel for the petitioner submits that two cows have been recovered.

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5. These are disputed facts to be elucidated during the investigation.

6. At this stage, the learned counsel appearing for the petitioner submits that the petitioner is ready to deposit some amount based on the value of the cows.

7. The learned Government Advocate (Criminal Side) appearing for the respondent police submits that the value of the cows would be Rs.60,000/- and that if the petitioner deposits the amount, this Court may consider the bail application.

8. In turn, the learned counsel for the petitioner voluntarily comes forward to state that the petitioner is willing to deposit a sum of Rs.30,000/- before the learned Judicial Magistrate, Karaikudi.

9. Considering the above undertaking and also taking into account the period of incarceration of 24 days, this Court is inclined to grant bail to the petitioner, subject to the certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his depositing a sum of **Rs.30,000/- (Rupees Thirty Thousand only)**, as undertaken above, immediately and also executing 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

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Judicial Magistrate, Karaikudi and subject to the following further conditions:-

[a] The learned Judicial Magistrate shall get the bail bond from the surety produced by the petitioner after the petitioner deposits the aforesaid amount of Rs.30,000/-. The said amount shall be deposited in a nationalised bank and on conclusion of the case, the amount shall be disbursed to the party who succeeds in the case;

[b] The petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[c] On execution of the surety, the accused is directed to appear before the learned Judicial Magistrate, Karaikudi for a period of 30 working days at 10.30 am. Thereafter, the accused shall appear before the said Court on every Wednesday at 10.30 am for a period of 10 weeks;

[d] In the event that the accused is unable to appear before the said Court, the counsel for the accused may file accused absence petition on behalf of the accused under Section 355 of BNSS and the same may be considered by the Court;

[e] In the event that neither the accused appear nor his counsel file any such accused absent petition, the Court has to issue a Non Bailable Warrant against the accused and secure him and commit him to custody;

[f] If the accused thereafter absconds, a fresh FIR shall be registered under Section 269 BNS, 2023;

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[g] If the investigating agency requires the presence of the accused, after the execution of the bail bond, the Investigating Officer has to issue a summons to the accused for interrogation. However, the interrogation should not amount to harassment of the accused. The issuance of the summons to the accused and the interrogation of the accused should be reflected in the CD file as well as in the General Diary. The said exercise shall be done by the Investigating Officer at once or twice during the daytime. Once the purpose of the interrogation is over, the accused shall be sent out from the police station without any further delay;

[h] On compliance of the above conditions for appearance of the accused all the conditions referred above shall stand relaxed;

[i] The petitioner shall not tamper with the evidence or witness either during investigation or trial;

[j] The petitioner shall not abscond either during investigation or trial;

[k] 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 [(2005)AIR SCW 5560].**

23.10.2026
(P.M.N., J.)

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To

1. The Judicial Magistrate, Karaikudi.

2. The Inspector of Police,
   Thanjavur Town West Police Station,
   Thanjavur District.

3. The Additional Public Prosecutor,
   Madurai Bench of Madras High Court,
   Madurai.

4. The Superintendent,
   Sub Jail, Thirupathur,
   Sivagangai Division.

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DR.P.MURUGAN, J.

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