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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23-10-2026

CORAM

THE HON'BLE DR. JUSTICE P. MURUGAN

CRL OP(MD) No. 24232 of 2026

CNR:{HCMD011529722026}

Neerathulingam @ Sodakattai
S/o.Ponnusamy,
No.487 B, Kumaran Street,
Rajapalayam,
Virudhunagar District.

..Petitioner(s)

Vs

The State of Tamilnadu
Rep by,
The Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar District.
Cr.No.461 of 2026.

..Respondent(s)

PRAYER: For bail in Crime No. 461 of 2026 on the file of Respondent Police.

For Petitioner(s): M/s M/s. Aran Legal Consultancy
M/s K.Sivabalan
M/s Saravanapandian P

For Respondent(s): Mr.A.Robinson
Additional Public Prosecutor,

ORDER : The Court made the following order :-

The petitioner / sole accused, who was arrested and remanded to judicial custody on 28.09.2026 for the offences punishable under Sections 296(b), 308(4), 351(3) BNS r/w Section 3

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of TNPPDL Act and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.461 of 2026, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 24.09.2026 at about 09.00p.m., while the *defacto* complainant, who runs a petty shop at Pullukadai Street, Rajapalayam was closing the shop along with his daughter, the petitioner came the shop and showed an aruval and threatened them demanding money from the cash box and damaged the tin shed of the shop and fled the scene. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in the above case and that he is no way connected with the alleged crime. Hence, prays to grant bail.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner has damaged the tin shed worth of Rs.10,000/-. He would further submit that the petitioner is having three previous cases, in which, one case was disposed. The petitioner is a history sheeter. Hence, prays to dismiss the petition.

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5. Considering the above facts and circumstances and also the facts that the petitioner is in judicial custody from 28.09.2026, this Court is inclined to grant bail to the petitioner with stringent conditions.

6.Accordingly, the petitioner shall deposit a sum of ***Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime Number 461 of 2026,*** without prejudice to his rights and contentions before the trial Court and the same can be disbursed depending upon the outcome of the trial. *The learned Magistrate shall redeposit the said amount in any interest bearing Fixed Deposit in anyone of the Nationalised Bank, till the disposal of the case.*

7. On such deposit, 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, Rajapalayam**.

[a] 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;

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[b] On execution of the surety, the accused is directed to appear before the Judicial Magistrate for a period of 15 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;

[c] 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;

[d] 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**;**

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

[f] 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

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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;

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

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

[i] the petitioner shall not abscond either during investigation or trial;

[j] 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].**

(P M N J)
23.10.2026

PNM/KU

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TO

1. The Judicial Magistrate, Rajapalayam

2. The Superintendent, Sub Jail, Srivilliputur

3. The Inspector of Police, Rajapalayam North Police Station, Virudhunagar District.

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

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DR.P.MURUGAN, J.
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