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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. 24171 of 2026

CNR:{HCMD011529842026}

Pandiyaraj

..Petitioner

Vs

The State of Tamilnadu
rep. by The Inspector of Police,
Peravurani Town Police Station,
Thanjavur District.
(Crime No.400 of 2026)

..Respondent

For Petitioner : Mr.UM.Bedrin Vinodh
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.400 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 21.09.2026 for the offences punishable under Sections 126, 303(2) and 118(1) of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.400 of 2026, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 25.10.2025, at about 07.00 a.m., when the de facto complainant was transporting a cement tank in a DOST vehicle bearing Reg. No.TN-49-DZ-2374, the petitioner, along with others, intercepted the vehicle, attacked the de facto complainant, his sister and the workers and took away the vehicle.

3. The learned counsel appearing for the petitioner submits that the petitioner is innocent and has not committed any offence as alleged by the prosecution.

4. 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 were enlarged on bail by this Court. He further submits that the vehicle

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involved in this case was recovered. Further, he submits that the petitioner has five previous cases.

5. In turn, the learned counsel for the petitioner submits that out of the five previous cases, one case has been stayed and three cases have been quashed by this Court, while the remaining one case is pending. To substantiate the quashment of the cases, the learned counsel for the petitioner produces copies of the following orders of this Court:

i. The order dated 07.12.2017 in Crl.O.P.(MD) No.16805 of 2017.
ii. The order dated 28.04.2026 in Crl.O.P.(MD) No.8378 of 2026.
iii. The order dated 25.06.2026 in Crl.O.P.(MD) No.12639 of 2026

6. Considering the fact that the vehicle invovled in this case has been recovered and also considering the quashement and stay of the cases pending against the petitioner and taking into account the fact that the period of incarceration of 33 days, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each for a like sum to the

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satisfaction of the learned Judicial Magistrate, Peravurani, Thanjavur District and on further conditions as follows:-

[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;

[b] On execution of the surety, the accused is directed to appear before the learned Judicial Magistrate, Peravurani, Thanjavur District 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;

[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

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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;

[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].**

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

JEN

To
1. The Judicial Magistrate,
Peravurani, Thanjavur District.

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

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

4. The prison in-charge,
   Sub Jail, Thanjavur, Thanjavur District.

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DR.P.MURUGAN, J.

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