



CRL OP(MD). No.22777 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/01/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Esakkimuthu

... Petitioner/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Seevalaperi Police Station,
Tirunelveli District.
Crime No.638 of 2025.

... Respondent/Complainant

For Petitioner : Mr.S.Selva Kumar

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.638 of 2025 on the file of the
Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner, who was arrested and remanded to judicial custody on 24.11.2025 for the offences punishable under Sections 132, 296(b), 109(1) and 351(3) of BNS and Section 25(1A) of Arms Act, in Crime No.638 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 24.11.2025, the petitioner disturbed the public by using filthy language and threatening them with an aruval. When the same was questioned by the police, the petitioner confessed that he was involved in criminal activities and also threatened the police using filthy language. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 24.11.2025. Hence, he seeks bail to the petitioner.



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4. The learned Additional Public Prosecutor submitted that the respondent had submitted proposal to invoke Act 14, however, the same was declined. He further submitted that four previous cases are pending against the petitioner. Therefore, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on 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 Judicial Magistrate No.III, Tirunelveli, and on further conditions that :-

[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] the petitioner shall report before the concerned Judicial Magistrate Court daily at 10.30 a.m. and before the respondent police at 05.30 p.m., until further orders.

[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 [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

(S S Y J)
20.01.2026

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TO
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1. The Judicial Magistrate No.III, Tirunelveli.
2. The Superintendent, Central Prison,
Palayamkottai.
3. The Inspector of Police,
Seevalaperi Police Station,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J

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ORDER
IN
CRL OP(MD) No.22777 of 2025

Date : 20/01/2026