

(2026) 06 MAD CK 0143

In the Madras High Court, Madurai Bench

Case No : Criminal Original Petition (MD) No. 9672 Of 2026

Anand

APPELLANT

Vs

State Of Tamilnadu

RESPONDENT

Date of Decision : 03-06-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 109, 118(1), 191(2), 191(3), 269, 296(b)

Citation : (2026) 06 MAD CK 0143

Hon'ble Judges : P. Dhanabal, J

Bench : Single Bench

Advocate : P.Edin Brough, G.Ganesh Kumar

Judgement

P. Dhanabal, J

1. The petitioner/A3, who was arrested and remanded to judicial custody on 17.04.2026 for the offences punishable under Sections 296(b), 191(2), 191(3), 118(1) and 109 of BNS, 2023, in Crime No.269 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity, on 13.04.2026, the petitioner along with other accused persons abused the defacto complainant's son in filthy language and assaulted him with knife and caused multiple injuries to him and threatened them with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he was falsely implicated in this case and he is no way connected in the above said incident. He has not committed any offence as alleged by the prosecution. The petitioner has been arrested and remanded to judicial custody on 17.04.2026. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that investigation in this case is still pending and the offences are grave in nature. He would further submit that the petitioner has

eight previous cases and the injured person has been discharged from the hospital on 16.04.2026. However, he vehemently, opposed to grant of bail.

5. This Court heard both sides and perused the materials available on record.

6. Considering the rival submissions made by the learned counsel on either side, nature of offence, and considering the fact that there is a previous enmity between the parties and though the petitioner has eight previous cases, the same are not similar kind of offence and in all cases, he was released on bail and the material part of the investigation might have been completed and also considering the fact that the injured person has been discharged from the hospital on 16.04.2026 and the period of incarceration undergone by the petitioner from 17.04.2026, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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.2, Madurai, and on further conditions that:

[b] the petitioner shall report before the respondent Police daily at 10.30 a.m., until further orders.

[c] the petitioner shall not commit any offence similar to the offence of which she is accused, or suspected, or of the commission of which she is suspected;

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

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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 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].

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