

Suresh Vs State Represented by

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Court : Chennai

Decided On : Apr-07-2026

Judge : Honourable Mr. Justice P.Dhanabal

Appeal No. : CRL OP(MD)/6704/2026

Appellant : Suresh

Respondent : State Represented by

Judgement :

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT (Criminal Jurisdiction) Date : 07.04.2026 PRESENT THE HONOURABLE MR. JUSTICE P. DHANABAL Suresh ...Petitioner/Accused Vs State of Tamil Nadu rep. by The Inspector of Police, South Police Station, Thoothukudi, Thoothukudi District. (Crime No. 904 of 2021) ...Respondent/Complainant For Petitioner : Mr.S.Muthu Malai Raja Advocate. For Respondent : Mr.B.Nambi Selvan Additional Public Prosecutor PETITION FOR BAIL Under Sec.483 of BNSS PRAYER :- For Bail in Cr.No. 904 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 01.02.2026 for the offences punishable under Sections 174 of Cr.P.C. @ 304(2) of

IPC in Crime No. 904 of 2021 on the file of the respondent police, seeks bail.

2. It is not in dispute that the investigation was completed and the

charge sheet was filed and the same is taken on file in S.C.No.65 of 2025 on the file of the I Additional District and Sessions Court, Thoothukudi and since the petitioner has not turned up for the hearing, Non-Bailable Warrant (NBW) was ordered to be issued on 02.12.2025 and the same was executed on 01.02.2026 and he is still in judicial custody.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. Hence, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the

respondent would submit that due to non-appearance, the Non-Bailable Warrant was issued against the petitioner on 02.12.2025 and the same was executed on 01.02.2026 and the petitioner has two previous cases. Hence, he strongly opposed to grant bail to the petitioner.

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 the investigation was completed and the charge sheet was filed and the same is taken on file in S.C.No.65 of 2025 on the file of the I Additional District and Sessions Court, Thoothukudi and already the petitioner was granted bail and thereafter, due to non-appearance, NBW was issued and though the petitioner has two previous cases, in those cases the bail was granted to the petitioner and also considering the period of incarceration undergone by the petitioner, 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 I Additional District and Sessions Judge, Thoothukudi and on further conditions that: [b] the petitioner shall report before the learned I Additional District and Sessions Judge, Thoothukudi, on all working days at 10.30 a.m., until further orders. [c] the petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/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.

(P D B J) 07.04.2026 apd To 1.The I Additional District and Sessions Judge, Thoothukudi. 2.The Inspector of Police, South Police Station, Thoothukudi, Thoothukudi District.

3. The Superintendent, Central Prison, Palayamkottai, Tirunelveli. 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai. P. DHANABAL, J apd

ORDER

IN CRL OP(MD) No. 6704 of 2026 Date : 07.04.2026

