

In the Court of Sessions, Tirunelveli Division
Before the Principal Sessions Judge, Tirunelveli.
PRESENT : **Thiru.N.VENKATAVARADAN, B.L.,**
PRINCIPAL SESSIONS JUDGE.
Friday, the 05th day of June 2026.
Cr.M.P.No.2398/2026
(CNR No.TNTL 0100 4645 2026)

Mathivanan, S/o.Vembu.

...Petitioner/Accused.

/Versus /

State: The Inspector of Police,
Manimuthar P.S
Cr.No.33/2023.

... Respondent/Complainant.

Petition dated:03.06.2026 filed U/s. 483 of BNSS prays to grant bail.

This petition is coming on this day for hearing before me, in the presence of THIRU.R.SADAGOBAN RENGASAMY, Chief Legal Aid Defence Counsel, District Legal Services Authority, Tirunelveli, Advocate for the petitioner appeared in person and THIRU.K.SUBRAMANIAN, the Public Prosecutor for the respondent and upon hearing both sides arguments, this Court passed the following :

ORDER

The petitioner/accused was arrested and remanded to judicial custody on 14.05.2026, for the alleged offences under Sections.304(2) IPC and 135(1)(a) Electricity Act, registered by respondent police, seeks bail.

The petitioner states that the petitioner is charged for the offences under section 304(2) IPC and 135(1)(a) Electricity Act in Cr.No.33/2023. The Petitioner further states that he has been falsely implicated in this case due to enmity. The petitioner states that he is an innocent and has not committed any offences. The alleges occurrence is said to have been taken place in the year 2023 within the jurisdiction of the respondent. Now the case is pending before this Honourable court. The petitioner / accused was issued with NBW for his non appearance on 10.04.2026, the same was execute on 14.05.2026 and thereafter he is in the judicial custody. This application is for bail on the jumped over bail. Initially the petitioner was enlarged on bail in the year 2023. Now the petitioner is ready to abide the condition of the court if

released on bail.

The learned Public Prosecutor initially reported that he has to receive instructions and when the petitioner stated that when the case is pending before this court itself, the learned Public Prosecutor said that the same may be considered by this court and suitable orders may be passed.

The point for consideration is: Whether the petitioner is entitled to the relief of Bail as prayed for?

Point: -Heard both sides. The petitioner was already released on bail in the year 2023 for the alleged offences under Sections 304(2) IPC and 135(1)(a) of Electricity Act. He was arrested for his non appearance before the court on 14.05.2026. Now admittedly the case is committed before this court and is pending. The petitioner is ready to appear before this court regularly. In view of detention period of the petitioner and the assurance of petitioner herein, this court is inclined to grant bail to the petitioner subject to the following conditions.

- i) that the petitioner is ordered to be enlarged on bail on executing his bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to the satisfaction of the Principal Sessions Judge, Tirunelveli;
- ii) that 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;
- iii) **that the petitioner shall report and sign before the respondent police daily at 10.00 a.m., for a period of 15 days** and further respondent police is directed to submit the report, deviations if any committed by the petitioner in observing the above condition. On further condition that he shall make available himself for interrogation as and when required by the investigation Officer ;
- iv) that the petitioner shall not tamper with evidence or witness either during investigation or trial;
- v) that the petitioner shall not abscond either during investigation or trial ;

- vi) that 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 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) ;
- vii) If the accused thereafter absconds, a fresh FIR can be registered U/S.269 BNS.

Pronounced by me in open court, this the 05th day of June 2026.

PRINCIPAL SESSIONS JUDGE,
TIRUNELVELI.

Copy To:-

The Public Prosecutor, Tirunelveli.
The Inspector of Police, Manimuthar P.S
The Superintendent, Central Prison, Palayamkottai.
The Counsel for petitioner.