

IN THE COURT OF THE FIRST ADDITIONAL DISTRICT & SESSIONS JUDGE,
TIRUNELVELI

PRESENT: Thiru. D. SELVAM, M.L.
1st Additional District & Sessions Judge,
Tirunelveli.

Friday, the 24th day of July 2026

M.P. No. 1/2026 in
SC No. 171/2025

Balamurugan

... Petitioner/Accused

//Versus//

The State of Tamil Nadu Rep. By
the Inspector of Police,
Sivanthipatti Police Station,
Cr.No. 125/2024.

... Respondent/Complainant

This petition came before me on 23.07.2026 in the presence of Thiru. T. Mariappan, Advocate for the petitioner and Thiru. S. Mahesh, Additional Public Prosecutor for the State and upon hearing the arguments on the both sides and on perusing the records and having stood over till this date for consideration, this court delivers the following ...

ORDER

1. This bail petition is filed under section 439 of the Cr.P.C. to enlarge him on bail.

2. The respondent registered the case under Section 302 of the IPC. The petitioner is remanded to the judicial custody by the execution of the NBW on 02.07.2026 and he is incarceration for the 22 days. So, the petitioner seeking order to bail.

3.The prosecution opposed the bail that the petitioner was arrested by NBW due to the non-appearance before this court. The petitioner having 3 previous cases. At this stage, if the petitioner is released on bail, he will not appear before the court regularly and he would hamper or tamper the witness and abscond. Hence, the petition may be dismissed.

4. Whether the petitioner is entitled the relief of bail?

5. Heard both sides. On perusal of the records, it reveals that the petitioner did not appear before this court regularly and NBW was issued against this petitioner and arrested and remanded on 02.07.2026 and he is incarceration for 22 days and the petitioner having 3 previous cases. Hence, this court considering the bail application on the objections that the petitioner will chance to involve other criminal cases. Hence, this court considered that the bail application as per the settled principles of,

“Satender Kumar Antil (Vs.) CBI and another, (2022) 10 SCC 51,”
“Arnesh Kumar (Vs.) State of Bihar, (2014) 8 Supreme Court – 274”,
“Arnab Manoranjan Goswami (Vs.) State of Maharashtra, on 27 November, 2020, Supreme Court”,

As the above-relied citations, this court considers the objection of the police side and the guidelines, this court would like to grant bail subject to the conditions and on the duration of 22 days incarceration of the petitioner by the interest of justice.

6. In the result, this petition is allowed with following conditions as

(i) The petitioner shall be released on bail on he executing a bond for Rs.10,000/- with 2 blood sureties for like sum on the satisfaction of this court.

(ii) The Petitioner shall appear and sign before this court at 10.00 a.m every Friday from the date of release on bail untill the further orders.

(iii) The petitioner shall co-operate the trial and did not abscond from the local place.

(iv) On breach of any of the aforesaid conditions, the bail granted to him shall stand cancelled under due process of law and this Court is entitled to take appropriate action against the petitioner in accordance with law as laid down by the Honourable Supreme Court in P.K.Shaji Vs State of Kerala ((2005) AIR SCW 5560).

(v) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of the BNS, 2023.

This order was directly dictated by me to the Steno-typist Grade-I and typed by her in a computer and corrected and pronounced by me in the open Court on this 24th day of July 2026.

1st Additional District & Sessions Judge,
Tirunelveli.

Copy to:

1. The Counsel for the petitioner.
2. The Addl. Public Prosecutor
3. The Inspector of Police, Sivanthipatti P.S.