



CRL OP(MD). No.20276 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 21/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.20276 of 2024

Adithya @ Aadhi

... Petitioner/ Accused No.3

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
Crime No.375 of 2024.

... Respondent/Complainant

For Petitioner : Mr.R.Senthilkumar, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime no.375 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.3, who was arrested and remanded to judicial custody on 20.09.2024 for the offence under Sections 191(2), 191(3), 126(2), 296(b),



CRL OP(MD). No.20276 of 2024

118(1), 103(1), 49 and 140(1) of BNS Act, 2023 in Crime No.375 of 2024, on the file of the respondent Police, seeks bail.

WEB COPY

2. The case of the prosecution is that the accused persons and the defacto complainant and others belonged to two different Villages. The accused persons seems to have first attacked the defacto complainant and others and as a retaliation, the defacto complainant and other villagers attacked the accused persons. As a result of which, Accused No.1 sustained serious injuries in his wrist. To retaliate this attack, the accused persons seems to have formed into an unlawful assembly and attacked the deceased, who was 17 years old boy indiscriminately and murdered him. There are totally 18 accused persons in this case and the petitioner has been arrayed as Accused No.3.

3. The learned counsel appearing for the petitioner submitted that a false case has been foisted against the petitioner and that the petitioner has nothing to do with the alleged offence. He further submitted that the petitioner has suffered incarceration from 20.09.2024.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent Police submitted that it is a case of retaliation murder and hence, there is a tense situation prevailing in the Village. He further submitted that there are two previous cases against the petitioner. The learned Government Advocate



CRL OP(MD). No.20276 of 2024

(Criminal Side) therefore vehemently opposed the grant of bail to the petitioner.

WEB COPY

5. Taking into consideration the facts and circumstances of the case and also considering the age of the petitioner and taking into account the manner in which the incident had taken place and considering the incarceration suffered by the petitioner from 20.09.2024 and considering the fact that there are two previous cases pending against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. Accordingly, the criminal original petition is ordered and 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, out of which one surety shall be a blood relative, each for a like sum to the satisfaction of the learned Judicial Magistrate, Manamadurai and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

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

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



CRL OP(MD). No.20276 of 2024

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

WEB COPY

[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 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 of BNS, 2023.

sd/-
21/11/2024

/ TRUE COPY /

21/11/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

To

1.The Judicial Magistrate,
Manamadurai.

2.Do through the Chief Judicial Magistrate,
Sivagangai District.

3.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.



CRL OP(MD). No.20276 of 2024

4.The Officer Incharge,
District Jail, Ramanathapuram.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.20276 of 2024
Date :21/11/2024

ED/ /SAR- (21/11/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023