



Crl.O.P.No.11517 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.11517 of 2025

K.Manikandan

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
Mangalamedu Police Station,
Perambalur District.

(Crime No.317 of 2024)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.317 of 2024 pending investigation on the file of the respondent police.

For Petitioner : Mr.C.Prabakaran

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 11.02.2025, seeking bail in Crime No.317 of 2024 registered for the offence under Sections 296(b) and 109 of BNS, 2023 @ 103(1) of BNS, 2023.

2.It is the case of the prosecution that there was previous enmity between the petitioner and the defacto complainant's husband, who is the cousin brother of the petitioner in respect of firewood business; that the petitioner used to abuse the defacto complainant and her husband while crossing their house; that on 16.08.2024, when the defacto complainant and her relatives were talking in front of her house, the petitioner abused them in filthy language; that when the defacto complainant's husband questioned the same, the petitioner had pushed down the defacto complainant's husband and stabbed him with knife on his chest and other parts of the body; that thereafter, the injured was taken to the hospital and he died. Hence, the case.



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3.The learned counsel for the petitioner would submit that the petitioner is innocent; that he was already granted bail by the District and Sessions Judge, Perambalur in Crl.M.P.No.1396 of 2024 on 30.09.2024; that on the complaint lodged by the father of the deceased in Crime No.66 of 2025, the petitioner was arrested on 11.02.2025; and that the petitioner is in custody from 11.02.2025 and hence, further custody of the petitioner is not required.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the respondents had filed an application to cancel the bail granted to the petitioner in Crl.M.P.No.413 of 2025 in Crl.M.P.No.1396 of 2024 and same was allowed on 07.03.2025; that thereafter, the petitioner was arrested under P.T warrant on 20.03.2025.

5.Heard the learned counsel on either side and perused the materials available on record.



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6.It is seen that in the case registered for threatening the witness, the petitioner was arrested on 11.02.2025 and in this case, the petitioner was re-arrested on 20.03.2025 on P.T warrant. The petitioner was on bail in this case. This Court had today granted bail to the petitioner in Crime No.66 of 2025 (Crl.O.P.No.11511 of 2025) registered for threatening the witness. Hence, considering the above facts and since further custody is not required, this Court is inclined to grant bail to the petitioner on the following conditions:

7.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **District Munsif cum Judicial Magistrate, Kunnam, Perambalur District**, 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;



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[b] the petitioner shall report before the Inspector of Police, Flower Bazaar Police Station, everyday at 10.30 a.m., until further orders;

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

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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 B.N.S.

22.04.2025

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Copy to:

- 1.The Inspector of Police,
Mangalamedu Police Station,
Perambalur District.
- 2.The District Munsif cum Judicial Magistrate,
Kunnam, Perambalur District.
- 3.The Superintendent of Prison, Central Prison, Trichy.
- 4.The Public Prosecutor, High Court, Madras.



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SUNDER MOHAN, J.

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