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Crl.O.P.Nos.14342 & 14489 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.14342 & 14489 of 2025

Manikandan @ Maya

... Petitioner in Crl.O.P.No.14342 of 2025

Sivaperumal

... Petitioner in Crl.O.P.No.14489 of 2025

Vs.

State represented by,
Station House Officer
Karveppilankurichi police Station
Cuddalore district
(Crime No.63 of 2025).

... Respondent in both Crl.O.Ps

Common Prayer : Criminal Original Petitions filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on bail, in Crime
No.63 of 2025, pending on the file of the respondent Police.

For Petitioner in Crl.O.P.No.14342 of 2025 :Mr.Krishnasamy Chinnasamy

For Petitioner in Crl.O.P.No.14489 of 2025 :Mr.T.Meganathan

For Respondent in both Crl.O.P.'s : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



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COMMON ORDER

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The petitioners, who were arrested and remanded to judicial custody on 18.02.2025 and 19.02.2025, for the offences punishable under Sections 194(1) of BNSS, 2023 @ into Sections 191(2), 191(3), 103(1), 238, 127(2) of BNS, 2023 Act, in Crime No.63 of 2025, on the file of the respondent police, seek bail.

2. The case of the prosecution as per the defacto complainant/VAO is that one unidentified person dead body found in Karuveppilankurichi village near Vridhachalam to Jeyamkondam State Highway Road. Hence, the case.

3. The petitioners are A5 and A6 said to have been joined with other accused persons and committed murder of the deceased. The deceased, who is a transgender, was a tenant under A3 and later, A3 causing disturbance to vacate the house. Thereafter, on the request of A3, the petitioners herein along with other accused had vacated the house. Thereafter, the deceased had returned and started staying on the terrace and caused nuisance. When the petitioners confronted the deceased, there was a wordy quarrel arose between them, due to which the deceased is said to have been assaulted by A5 using wooden log and A6 is said to have been inflicted cut injuries on the leg. Thereafter, the body was disposed of in an forested area.



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4. The learned counsel for the petitioners submitted that A5 was arrested on 18.02.2025 and A6 was arrested on 19.02.2025. He also submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

5. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case by stating that there are totally 8 accused in this case out of which A3 and A8 were transgenders. The petitioners are A5 and A6. He submitted that the accused persons called the deceased to the house and assaulted her with wooden log and knife. Hence, he opposed for grant of bail to the petitioners.

6. Heard both sides and perused the materials available on record.

7. Considering the facts and circumstances of the case, the submission made by the learned counsel appearing on either side and the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond each 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 **Judicial Magistrate-2, Vridhachalam** , and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioners shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for further interrogation;

[c] the petitioners shall make themselves available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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)13 SCC 283]**;



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[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

14.05.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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To

1. Judicial Magistrate-2, Vridhachalam
2. Station House Officer
Karveppilankurichi police Station
Cuddalore district
3. The Superintendent,
Women Prison, Cuddalore
4. The Superintendent,
Central Jail, Cuddalore
5. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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