



Crl.O.P.No.15865 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2025

CORAM

**THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR**

Crl.O.P.No.15865 of 2025

Manikandan @ Mani

... Petitioner

Vs.

State rep. by  
The Inspector of Police  
Perambalur Police Station  
Crime No.10 of 2013

... Respondent

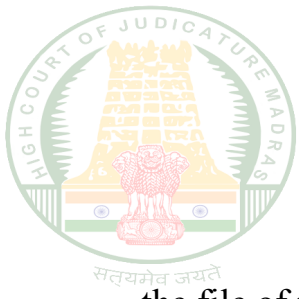
**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in S.C No.17 of 2014 pending on the file of the District and Sessions Mahila Judge at Perambalur.

For Petitioner : Mr.S.Mohan

For Respondent : Mr.L.Baskaran  
Government Advocate (Crl.Side)

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 25.03.2025, for the offences punishable under Section 120(B), 364, 394, 302(3 counts), and 201 of IPC, in connection with Crime No.10 of 2013, registered on



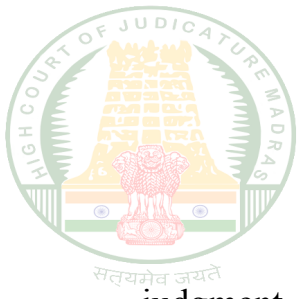
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the file of the respondent, seeks bail.

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2. The contention of the learned counsel for the petitioner is that the petitioner was initially arrested in Crime No.10 of 2013 and thereafter, charge sheet was filed in S.C No.26 of 2013 and since the trial had not been progressed, the petitioner was having a way ward life and got employment in Mumbai and stayed there and hence, the District & Sessions Mahila Judge split up this case and formed a new S.C No.17 of 2014 from the mother case S.C No.26 of 2013 and proceeded against A1 Manikandan @ Jamaludeen and one Dinakaran. The learned counsel further submitted that the petitioner/2nd accused is the only person to be tried by the District and Sessions Mahil Judge, Perambalur. The trial Court by its judgment dated 09.01.2018 acquitted the accused. Thereafter, the petitioner had gone to Coimbatore and was employed there. The learned counsel for the petitioner submitted that the petitioner is suffering incarceration from 25.03.2025 and in this case, three witnesses have been examined

3. The learned counsel referring to the judgment of the mother case submitted that it is a case of circumstantial evidence and also destroying the evidence. The learned counsel further referred to the para 44 and 45 of the

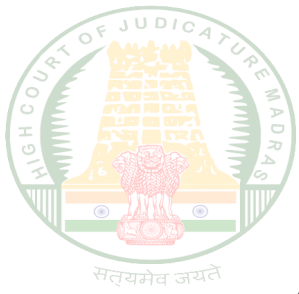


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judgment of the trial Court wherein it is stated that A1 to A3 in mother case including the petitioner are similar accused and had given a finding that there is no direct evidence to prove that the petitioner and other accused strangled the deceased and thrown the body of the deceased in the well. The petitioner has a fair chance to succeed in the trial. The learned counsel for the petitioner submitted that the petitioner undertakes to appear before the trial Court on all the hearing dates and he is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the mother case S.C No.26 of 2013 was ended in acquittal and the case against the petitioner has been split up in S.C No.17 of 2014 and so far, three witnesses have been examined. He further submitted that the case is posted for further examination on 26.06.2025 and since the occurrence had taken place in the year 2010, most of the witnesses have moved out and steps are being taken to secure the witnesses without any further delay. If bail is granted to the petitioner, he may abscond again and hence, he strongly opposed to grant bail to the petitioner.



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

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond 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 District and Sessions Mahila Judge, Perambalur**, 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 petitioner shall appear before the trial Court/ District and Sessions Mahila Court, Perambalur on all working days at 10.30 a.m till the completion of the trial, without fail.**

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



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

[e] the petitioner 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 petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

**17.06.2025**

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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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**M.NIRMAL KUMAR, J.**  
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To

1. The District and Sessions Mahila Judge,  
Perambalur.
2. The Inspector of Police  
Perambalur Police Station
3. The Central Prison, Trichirapalli
4. The Public Prosecutor,  
High Court of Madras.

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