



Crl.O.P.No.24792 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2025

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.24792 of 2025

Dhamothiran

... Petitioner

Vs.

State rep by:-

The Sub-Inspector of Police,
Athiyamankottai Police Station,
Dharmapuri District.
(Crime No.253 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in Crime No.253 of 2025 on the file of the respondent police.

For Petitioner : Mr.D.Thirumoorthy

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.08.2025 for the alleged offence under Sections 296(b) and 103(1) of BNS Act, 2023 in Crime No.253 of 2025, on the file of the respondent police, seeks bail.



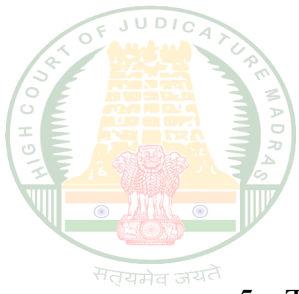
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2. The case of the prosecution is that the petitioner and the defacto complainant had consumed liquor and there arose a wordy quarrel between them. It was the deceased who went to the petitioner's residence in the absence of the petitioner and used filthy words against the petitioner and his family members. Thereafter, the deceased purchased a knife at a shop and went to attack the petitioner and while he attempted to attack, the petitioner to safeguard him had pushed him and in the result, he succumbed to injury and died. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submits that the petitioner has been suffering incarceration from 14.08.2025. He further submitted that the petitioner 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. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the investigation is almost completed and there is no previous case pending against the petitioner.



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5. Taking into consideration the facts and submissions made by both counsels, the investigation is almost completed, and also considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to **deposit a sum of Rs.1,00,000/- (Rupees One lakh only) to the credit of Crime No.253 of 2025**, and on such deposit, 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, **in which one surety must be a blood surety** for a like sum to the satisfaction of the *learned Judicial Magistrate-II, Dharmapuri*, 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 stay at Nagarcoil and signed before the Town Police Station, Nagarcoil daily at 10.30 a.m. for a period of three months.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;



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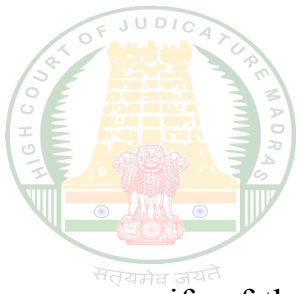
(e) on breach of any of the aforesaid conditions, the Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

(g) the petitioner shall not to have any communication with the deceased family.

(h) the wife of the deceased is permitted to withdraw the amount deposited by the petitioner in Crime No.253 of 2025, on proper identification, in the manner known to law.

7. Considering the fact that the deceased is survived by his wife, mother and a minor son, this Court is inclined to refer the matter under the Victim Compensation Scheme. Accordingly, the District Legal Services Authority of Dharmapuri has referred the matter to the District Collector under the said Scheme. The District Collector is directed to provide a compensation of Rs.3,00,000/-, to the family of the deceased, within a period of four weeks from the date of receipt of a copy of this order. Out of the Compensation amount of Rs.3,00,000/-, the mother of the deceased is entitled to receive Rs.1 lakh, and the



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wife of the deceased is entitled to receive Rs.1 lakh. The remaining sum of Rs.1 lakh, shall be allotted to the minor child, Melvinraj. The said amount shall be deposited in any one of the Nationalised banks until the child attains majority. The interest accrued thereon is permitted to be withdrawn by the mother of the minor child for the welfare of the child.

11.09.2025

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To

- 1.The Judicial Magistrate-II, Dharmapuri.
- 2.The Sub-Inspector of Police,
Athiyamankottai Police Station,
Dharmapuri District.
3. The Superintendent of Jail, District Jail, Dharmapuri.
- 4.The Public Prosecutor, High Court of Madras.

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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T.V.THAMILSELVI, J.
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