



Crl.O.P.(MD).No.138 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). Nos.138 & 169 of 2025

Crl.O.P.(MD).No.138 of 2025

Kannadasan

... Petitioner/ Accused No.4

Vs

The Inspector of Police,
M.Chathirapatti Police Station,
Madurai District.
Crime No.128 of 2024

... Respondent/ Complainant

For Petitioner : Mr.S.Srikanth, Advocate.

For Respondent : Mr.S.Ravi, Additional Public Prosecutor

Crl.O.P.(MD).No.169 of 2025

Vishwa

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
M.Chathirapatti Police Station,
Madurai District.
Crime No.128 of 2024

... Respondent/ Complainant

For Petitioner : Mr.AK.Azagar Sami, Advocate.

For Respondent : Mr.S.Ravi, Additional Public Prosecutor



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PETITIONS FOR BAIL Under Sec.483 of BNSS

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COMMON PRAYER :-

For Bail in Crime no.128 of 2024 on the file of the Respondent Police.

COMMON ORDER : The Court made the following common order :-

The petitioners / Accused Nos.1 and 4, who were arrested and remanded to judicial custody on 26.11.2024 and 14.11.2024 respectively for the offences under Sections 103(1), 296(b), 127(2), 49, 61(2) of BNS and Section 83(2) of JJ Act in Crime No.128 of 2024, on the file of the respondent Police, seek bail.

2. The case of the prosecution is that Accused No.4 had an illegal intimacy with the wife of the deceased. On one occasion, Accused No.4 was found in a compromising position with the wife of the deceased and the deceased questioned the same and is said to have slapped Accused No.4. Accused No.4 informed this to his sons, who are Accused Nos.1 and 2 and hence, the accused persons conspired to do away with the deceased. On the date of occurrence, Accused No.5 was watching the movements of the deceased and informed Accused No.4 about the same and in turn, it was informed to Accused Nos.1 to 3. Accused No.4 called the deceased for a compromise and they started consuming alcohol. At one point, the deceased was attacked with a beer bottle and Accused No.1 is said to have hit the deceased with the beer bottle in the head and also stabbed in the neck. There are totally five accused persons in this case and the petitioners have been arrayed as Accused Nos.1 and 4.



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Accused Nos.2 and 3 are juveniles in this case and Accused No.3 is said to be the friend of Accused Nos.1 and 2.

3. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the entire incident came to light pursuant to the extra judicial confession given by Accused No.1 to the Village Administrative Officer after he surrendered on 14.11.2024. He further submitted that the investigation is almost completed and the Investigating Officer is only awaiting for the chemical analysis report. It was also brought to the notice of this Court that there are no previous cases against the petitioners.

4. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent Police.

5. Taking into consideration the facts and circumstances of the case and the manner in which the entire incident had taken place and considering the fact that Accused No.1 is suffering incarceration from 14.11.2024 and Accused No.4 is suffering incarceration from 26.11.2024 and also taking note of the fact that there are no previous cases against the petitioners and investigation is almost in the verge of completion, this Court is inclined to grant bail to the petitioners subject to the following conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their



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executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each, with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Madurai and on further conditions that:-

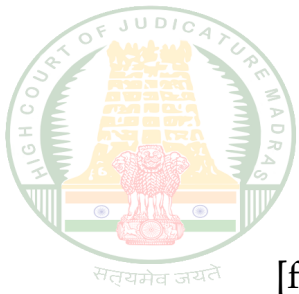
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police daily at 10.30 a.m. until further orders.

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

[d] the petitioners shall not abscond 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 petitioners in accordance with law as if the 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)AIR SCW 5560].



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[f] If the accused thereafter absconds, a fresh FIR can be registered

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under Section 269 of BNS, 2023.

sd/-

07/01/2025

/ TRUE COPY /

07/01/2025

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1 THE JUDICIAL MAGISTRATE NO.V, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE , MADURAI.

3 THE SUPERINTENDENT, DISTRICT JAIL, THENI.

4 THE INSPECTOR OF POLICE, M.CHATHIRAPATTI POLICE STATION,
MADURAI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD). Nos.138 & 169 of 2025

Date :07/01/2025

RS/IT/SAR-(07.01.2025) 5P 6C

Madurai Bench of Madras High Court is issuing
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