



CRL OP(MD). No.1058 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.1058 of 2025

Marithangam

... Petitioner / Accused No.1

Vs

The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
(Crime No.292 of 2024)

... Respondent / Complainant

For Petitioner : Mr.S.Vishnuvardhan
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS,2023.

PRAYER :-

For Bail in Crime No.292 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 22.09.2024 for the alleged offences under Sections 296(1), 103(1) and 351(3) of BNS, 2023, in Crime No.292 of 2024, on the file of the respondent police, seeks bail.



CRL OP(MD). No.1058 of 2025

WEB COPY

2. The case of the prosecution is that there was a previous enmity between the parties. The deceased was attacked with aruval and knife by A1 to A3. A4 to A7 are said to have waited in a nearby place to ensure that if the deceased escaped from A1 to A3, they were prepared to attack the deceased. There are totally 7 accused persons in this case and the petitioner has been arrayed as A1.

3. The learned Additional Public Prosecutor submitted that, this petitioner along with A2 and A3 have indiscriminately attacked the deceased with deadly weapons and caused his death. He further submitted that, there are seven previous cases pending against the petitioner, out of which, three cases are for the offence of 307 of IPC. He further submitted that, investigation has been completed and the case is now pending before the learned Judicial Magistrate No.III, Thoothukudi in P.R.C.No.159 of 2024 .

4. Heard the learned counsel on either side and perused the material records of the case.

5. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner has suffered incarceration from 22.09.2024 and also considering the fact that the investigation has been completed and the case is pending before the learned Judicial Magistrate No.III, Thoothukudi and taking note of the fact that there are seven previous cases pending against the petitioner and also



CRL OP(MD). No.1058 of 2025

considering the fact that, except A6, other co-accused have been enlarged on bail, this

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Court is inclined to grant bail to the petitioner subject to the following conditions:

6. 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 Judicial Magistrate No.III, Thoothukudi, 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 report before the learned Judicial Magistrate No.III, Thoothukudi daily at 10.30.a.m., apart from the hearing date until further orders without fail.

[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.

[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



CRL OP(MD). No.1058 of 2025

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 under Section 269 of BNS, 2023.

sd/-
22/01/2025

/ TRUE COPY /

22/01/2025

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

sma

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, THOOTHUKUDI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
- 3 THE INSPECTOR OF POLICE, PUDUKOTTAI POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE OFFICER INCHARGE, DISTRICT JAIL, PEROORANI,
THOOTHUKUDI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.1058 of 2025
Date :22/01/2025

RS/IT/SAR-(22.01.2025) 4P 6C
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