



CRL OP(MD). No.3569 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.3569 of 2025

Aravinth,
S/o.Kathiresan,
Alagumuthu Nagar,
Siluvaipatti,
Thoothukudi.

... Petitioner/ Accused No.10

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
Crime No.370/2024.

... Respondent/ Complainant

For Petitioner : Ms.M.Anbarasi,
Advocate

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.370/2024 on the file of the Respondent-Police.



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W/ORDER: The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 21.02.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner/Accused No.10 was arrested and remanded to judicial custody on 05.12.2024 for the offences punishable under Sections 126(2), 296(b), 109(1), 103(1), 351(3) of BNS, 2023, in Crime No.370 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that there was a previous dispute between one Rajesh and the defacto complainant's brother, Vellaikannu, regarding an attack, and the petitioner's brother was arrested and subsequently enlarged on bail. While this was the situation, on 03.12.2024, at about 09:15 a.m., when the defacto complainant's brother was standing in a workshop near Kootampuli Bazar, the accused persons, who are friends of the said Rajesh, attacked the defacto complainant's brother with an aruval, causing grievous injuries. While the defacto complainant and his other brother, Sivaperumal, were trying to intervene, the accused persons also attacked them. The defacto complainant's brother, Vellaikannu, succumbed to his injuries.

Hence, the case.

<https://www.mhc.tn.gov.in/judis>



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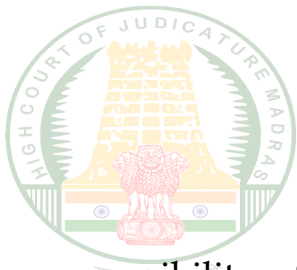
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4. Ms.M.Anbarasi, the learned counsel appearing for the petitioner, submits that a false case has been foisted against the petitioner and the petitioner did not commit any offence as alleged by the prosecution. She further submits that the petitioner has been in judicial custody since 05.12.2025. She further submits that this Court has already granted bail to Accused No.9 in CrI.O.P.(MD).No.2406 of 2025 on 07.02.2025. She therefore prays to grant bail to the petitioner.

5. Mr.R.Meenakshi Sundaram, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there are no previous cases pending against the petitioner. He further submits that, if the petitioner is enlarged on bail, he will cause threat to the defacto complainant and witnesses. Hence, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. The allegation against the petitioner is that he has financially helped the co-accused in this case. The petitioner was arrested and remanded to judicial custody on 05.12.2024. The petitioner has permanent residence and therefore, there is less

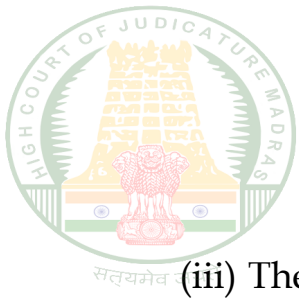


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possibility of absconding. This Court has already granted bail to Accused No.9 in
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Crl.O.P.(MD).No.2406 of 2025 vide order dated 07.02.2025. Considering the same and
also considering the period of incarceration and the overt act attributed against the
petitioner and taking note of the fact that there are no previous cases against the
petitioner and with a view to give an opportunity to the petitioner to reform himself,
this Court is inclined to grant bail to the petitioner, however, subject to certain
conditions. Accordingly, bail is granted to the petitioner subject to the following
conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five
Thousand only) along with two sureties each for a like sum of Rs.25,000/-
(Rupees Twenty Five Thousand Only) to the satisfaction of the learned Judicial
Magistrate No.III, Thoothukudi;

(ii) The sureties shall affix their photographs and left thumb impression in the
Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of
Practice, 2019']. The learned Judicial Magistrate No.III, Thoothukudi, shall obtain a
copy of any one of identity proofs to ensure their identity;



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(iii) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

(iv) The petitioner shall not commit an offence similar to the offence of he is accused, or suspected, of the commission of which he is suspected;

(v) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(vi) The petitioner shall also not directly or indirectly cause threat to the defacto complainant and his family members;

(vii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.III, Thoothukudi;

(viii) The petitioner shall stay at Madurai and appear and sign before the Othakadai Police Station daily at 10.30 a.m., and 05.00 p.m., until further orders; and



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(ix) On breach of any of the aforementioned conditions, learned Judicial Magistrate No.III, Thoothukudi, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

Sd/-
25/02/2025

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25 /02/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1 THE JUDICIAL MAGISTRATE NO.III
THOOTHUKUDI

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.



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3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
PUDUKOTTAI POLICE STATION,
THOOTHUKUDI DISTRICT.

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

COPY TO:

THE INSPECTOR OF POLICE,
OTHAKADAI POLICE STATION,
MADURAI.

+1 CC to M/s.M.ANBARASI, Advocate (SR-2055[I] dated 25/02/2025)

ORDER IN
CRL OP(MD) No.3569 of 2025
Date :25/02/2025

ES/SAR /25.02.2025/7P/8C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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