



CRL OP (MD) No.4369 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/03/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

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V.Thangapandiyan

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Cheranmagathevi Police Station,
Tirunelveli District.
Crime No.610/2024

... Respondent/Complainant

For Petitioner : Mr.G.Thiruvarutselvan
Advocate

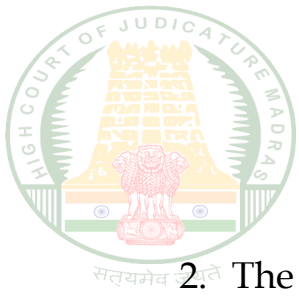
For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.610 of 2024 on the file of the respondent - police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 06.03.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.



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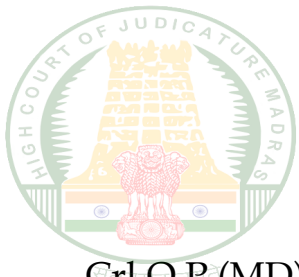
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2. The petitioner/A2 was arrested and remanded to judicial custody on 02.01.2025 for the offences punishable under Sections 49, 126(2), 296(b), 109(1), 118(1), 351(1) and 103 of BNS, 2023, in Crime No.610 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that due to previous enmity between the son-in-law of the defacto complainant and the petitioner (A2) regarding the murder of the petitioner's son, on 20.12.2024, at about 8.45 a.m., when the defacto complainant's son was returning home after visiting their agricultural land, at the instigation of the petitioner (A2), the other accused persons (A3, A4 and A5) attacked the defacto complainant's son with a knife, resulting in his murder. Hence, the complaint.

4. Mr.C.Thiruvarutselvan, learned counsel appearing for the petitioner, submits that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case. He however submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. He therefore prays to grant bail to the petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-police, submits that this is the second bail petition of the petitioner, and the earlier bail petition filed by the petitioner, along with his wife/A5, was dismissed insofar as the petitioner is concerned, on 19.02.2025, in



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Crl.O.P.(MD) No. 2478 of 2025. He further submits that now, A3 has been secured and remanded to judicial custody. He further submits that the investigation in this case has already been completed and the charge sheet is going to be filed. However, he submits that if the petitioner is enlarged on bail, he will cause threat to the life of the defacto complainant and his family members. Hence, he strongly opposes to grant bail to the petitioner.

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

7. The petitioner was arrested and remanded to judicial custody on 02.01.2025, and he has been in judicial custody for more than 65 days. In view of the facts and circumstances and the fact that the investigation has been completed and the charge sheet is going to be filed, this Court is of the opinion that further custody of the petitioner is not necessary. Further, the petitioner has permanent residence, and hence, there is less possibility of absconding. Considering the same, and also considering the period of incarceration, 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



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Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate,
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Cheranmahadevi;

(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, Cheranmahadevi shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall stay at Dindigul and appear and sign before the Inspector of Police, Dindigul Town Police Station (West), Dindigul, daily at 10.00 and 5.00 p.m., until further orders;

(iv) The petitioner shall furnish his residential address and mobile number, and also the address where he is going to stay at Dindigul, to the learned Judicial Magistrate, Cheranmahadevi;

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

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

(vii) 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



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evidence;

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(viii) The petitioner shall not directly or indirectly cause any threat to the defacto complainant, his family members, or the witnesses, and shall not try to contact the defacto complainant or his family members either directly or through any electronic mode;

(ix) The petitioner shall not leave Dindigul Town, without prior permission of the Court; and

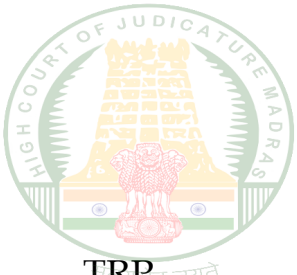
(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Cheranmahadevi is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

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

sd/-
21/03/2025

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21/03/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TRP
TO
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1 THE JUDICIAL MAGISTRATE,
CHERANMAHADEVI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, NAGERKOVIL.

4 THE INSPECTOR OF POLICE,
CHERANMAGATHEVI POLICE STATION,
TIRUNELVELI DISTRICT.

5 THE INSPECTOR OF POLICE,
DINDIGUL TOWN POLICE STATION (WEST),
DINDIGUL.

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

ORDER IN
CRL OP(MD) No.4369 of 2025
Date :21/03/2025

SA/SAR. /21.03.2025/6P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.