



Crl.O.P.(MD).No.4427 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 28/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). Nos.4427 & 5073 to 5075 of 2025

**Crl.O.P.(MD).No.4427 of 2025**

Naganathan

... Petitioner/ Accused No.4

Vs

The State of Tamil Nadu,  
Rep. by the Sub Inspector of Police,  
Kundrakudi Police Station,  
Sivagangai District.  
In Cr. No. 13 of 2025.

... Respondent/Complainant

For Petitioner : Mr.Baskaran.V, Advocate

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

**Crl.O.P.(MD).No.5073 of 2025**

A.Pandidurai

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,  
Rep. by the Sub Inspector of Police,  
Kundrakudi Police Station,  
Sivagangai District.  
In Cr. No. 13 of 2025.

... Respondent/Complainant



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For Petitioner : Mr.Baskaran.V, Advocate

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

**Crl.O.P.(MD).No.5074 of 2025**

A.Pragadeeswaran

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,  
Rep. by the Sub Inspector of Police,  
Kundrakudi Police Station,  
Sivagangai District.  
In Cr. No. 13 of 2025.

... Respondent/Complainant

For Petitioner : Mr.Baskaran.V, Advocate

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

**Crl.O.P.(MD).No.5075 of 2025**

A.Saravanapandian

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu,  
Rep. by the Sub Inspector of Police,  
Kundrakudi Police Station,  
Sivagangai District.  
In Cr. No. 13 of 2025.

... Respondent/Complainant

For Petitioner : Mr.Baskaran.V, Advocate

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



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**COMMON PRAYER :-**

For Bail in Crime No. 13 of 2025 on the file of the respondent-police.

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

These Criminal Original Petitions have been filed by the petitioners on 06.03.2025 and 17.03.2025 respectively under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioners / Accused Nos.1 to 4 were arrested and remanded to judicial custody on 25.01.2025 and 26.01.2025 respectively for the offences punishable under Section 103(1) of BNS, 2023, altered into Section 103(2) of BNS, 2023 in Crime No.13 of 2025, on the file of the respondent-Police.

3. The case of the prosecution is that due to property dispute arose between the petitioners, who are none other than the brothers and brother-in-law of the deceased, and the deceased, on 23.01.2025, the petitioners have committed the murder of the deceased. Hence, the case.

4. Mr.V.Baskaran, learned counsel appearing for the petitioners, submits that the petitioners have nothing to do with the alleged offence, and that a false case have been foisted against the petitioners. He however submits that the petitioners are ready to abide by any conditions that may be imposed by this Court, and co-operate with the investigating agency. He further submits that if bail is granted to the



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petitioners, they will not abscond. He further submits that the petitioners have been in judicial custody since 25.01.2025 and 26.01.2025 respectively. Therefore, he prays for granting bail to the petitioner.

5. *Per contra*, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-Police, submits that since the investigation has not yet been completed, the further custody of the petitioners is necessary in this case. He further submits that the petitioners assembled, conspired together and committed the murder of the deceased due to the family property dispute. He further submits that the petitioners are brothers and brother-in-law of the deceased. He further submits that there are three previous cases against Accused No.1, out of which one was disposed of, and there are three previous cases against Accused No.2, and there are five previous cases against Accused No.3, of which two were disposed of, and there is one previous case against Accused No.4, which was disposed of. He further submits that if bail is granted to the petitioners, they may abscond and thereby, cause delay to the investigation proceedings and also cause threat to the defacto complainant, who are sister and sister-in-law of the petitioners. Hence, he vehemently opposes to grant bail to the petitioners.

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

7. According to the prosecution, the petitioners murdered their own brother



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and brother-in-law due to a property dispute. The defacto complainant is none other than the sister of the petitioners in Crl.O.P.(MD) Nos.5073 to 5075 of 2025 and the sister-in-law of the petitioner in Crl.O.P.(MD) No.4427 of 2025. The deceased also had other brothers apart from the petitioners in Crl.O.P.(MD) Nos. 5073 to 5075 of 2025. A dispute is now prevailing between the petitioners and the other brothers. Even when the father of the petitioners in Crl.O.P.(MD) Nos. 5073 to 5075 of 2025 passed away, they were permitted to perform the last rites with sufficient escort and security arrangements. Considering the possibility of a law and order issue, along with the relationship between the petitioners, the deceased, and the defacto complainant, this Court is not inclined to grant bail to the petitioners.

8. Accordingly, these Criminal Original Petitions stand dismissed.

sd/-  
28/03/2025

/ TRUE COPY /

03/04/2025  
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TSG  
TO

- 1 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 2 THE SUB INSPECTOR OF POLICE,  
KUNDRAKUDI POLICE STATION, SIVAGANGAI DISTRICT.



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

ORDER  
IN  
CRL OP(MD). Nos.4427 & 5073 to 5075 of 2025  
Date :28/03/2025

NBF/SAR/ (03/04/2025) 6P/4C

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