



CRL OP (MD) No.4853 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Vellapandi,
S/o.Sanmugam,
D.No.8/19, Yathavar Street,
Nelliyappapuram,
Paruthipadu, Maruthakulam,
Thirunelveli District.

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Chettinadu Police Station,
Sivagangai District.
Crime No.2 of 2025

... Respondent/Complainant

For Petitioner : Mr.KA.Raamakrishnan,
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER :-**

For Bail in Crime No.2 of 2025 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 13.03.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner/Sole Accused was arrested and remanded to judicial custody on 15.01.2025 for the offences punishable under Sections 103(1) of BNS, 2023, in Crime No.2 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that due to a business motive, on 14.01.2025, at around 8:30 p.m., the petitioner stabbed the deceased in the chest and the back of the shoulder, resulting in the death of the deceased while being taken to the hospital. Hence, the case.



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4. Mr.KA.Raamakrishan, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence, and a false case has been foisted against the petitioner. He further submits that the petitioner has been in judicial custody since 15.01.2025, and that he is ready to abide by any stringent conditions that may be imposed by this Court. 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 the investigation has been completed, and the respondent-Police is going to file a charge sheet very shortly. He further submits that there is no previous case pending against the petitioner. He further submits that if the petitioner is enlarged on bail, he may cause threat to the defacto complainant and other witnesses and thereby, delay the further progress. Accordingly, he strongly opposes to grant bail to the petitioner.

6. This Court has considered the submissions made on either side and perused the records.



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7. In view of the allegation made in the First Information Report and in view of the facts that the investigation has been completed and that the respondent-Police is going to file a charge sheet very shortly, this Court is of the opinion that further custody of the petitioner is not necessary in this case.

8. Considering the same, and also considering the period of incarceration suffered by the petitioner and the fact that the petitioner has permanent residence and deep roots in the society, and therefore, there is less possibility of absconding, and taking note of the fact that there is no previous case pending against the petitioner, and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant an order of bail to the petitioner, however, 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, Karaikudi, Sivagangai District;



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(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, Karaikudi, Sivagangai District, shall obtain a copy of any one of identity proofs to ensure their identity;

(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 not directly or indirectly cause any threat to the defacto complainant, the family members of the deceased, and the witnesses;



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(vii) The petition shall not enter into residence of the defacto complainant and the family members of the deceased or their work place until further orders. The petitioner shall also not enter into the alleged place of occurrence;

(viii) The petitioner shall furnish his residential address and mobile number to the the learned Judicial Magistrate, Karaikudi, Sivagangai District;

(ix) The petitioner shall stay at Madurai and appear and sign before the Inspector of Police, Anna Nagar Police Station, Madurai, daily at 10.00 a.m., and 05.00 p.m., until further orders; and

(x) On breach of any of the aforementioned conditions, learned Judicial Magistrate, Karaikudi, Sivagangai District, 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].



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

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Sd/-
17/03/2025

18/03/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

tsg/jen
TO

- 1 THE JUDICIAL MAGISTRATE
KARAIKUDI SIVAGANGAI DISTRICT
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE,
CHETTINADU POLICE STATION,
SIVAGANGAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION,
MADURAI

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



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WEB COPY +1 CC to M/s.KA.RAAMAKRISHNAN, Advocate (SR-2912[I] dated 17/03/2025)

ORDER IN
CRL OP(MD) No.4853 of 2025
Date :17/03/2025

ES/18.03.2025/8P/8C

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