



CRL OP(MD). No.5714 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 27.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5714 of 2025

Nishanth @ Sadai Surya

... Petitioner/ A5

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Pudukottai Police Station,
Thoothukudi.
Crime No.370 of 2024

... Respondent/Complainant

For Petitioner : Mr.P.Samuel Gunasingh
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS, 2023

PRAYER :-

For bail in Crime No.370 of 2024 on the file of the respondent-police.



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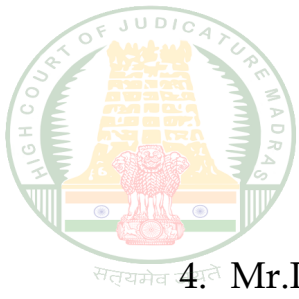
ORDER : The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 25.03.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner / A5 was arrested and remanded to judicial custody on 06.12.2024 for the alleged offences punishable under Sections 126(2), 296(b), 109(1), 103(1) & 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023 altered into Sections 49, 61 (2), 249(a), 3(5), 126(2), 296(b), 109(1), 103(1) & 351(3) of Bharatiya Nyaya Sanhita (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.



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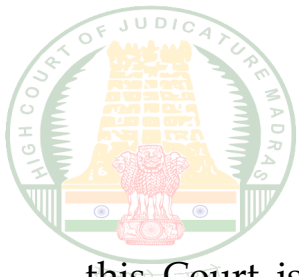
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4. Mr.P.Samuel Gunasingh, learned counsel appearing for the petitioner, submits that the petitioner did not commit any offence as alleged by the prosecution and that he has been falsely implicated in this case. He however submits that the petitioner 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 in this case, the charge sheet has been filed, and the case is pending in P.R.C.No.17 of 2025 on the file of the learned Judicial Magistrate No.III, Thoothukudi. He further submits that the petitioner has three previous cases. He therefore submits that if the petitioner is enlarged on bail, he will cause threat to the defacto complainant and his family members. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. It appears that this petitioner and A2 to A4 waylaid the deceased, attacked him with sickle and knife, and murdered him. Moreover, the petitioner / A5 has three previous cases. In view of the antecedents of the petitioner / A5 and in view of the overt act of the petitioner, this Court is of the opinion that if the petitioner is enlarged on bail, he will commit similar offences, cause threat to the defacto complainant, his family members and witnesses, and tamper with evidence. Hence,



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this Court is not inclined to grant bail to the petitioner / A5. Accordingly, the
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Criminal Original Petition is dismissed.

sd/-
27/03/2025

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

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TO

1 The Superintendent, Central Prison, Palayamkottai.
2.The Inspector of Police,
Pudukottai Police Station,
Thoothukudi.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.5714 of 2025
Date :27/03/2025

MK/SAR /17.04.2025 4P/4C

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