



CRL OP (MD) No.6183 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Santhanaraj @ Panty

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu
Rep. by the Inspector of Police,
Thalamuthunagar Police Station,
Thoothukudi District.
Crime No.162 of 2024

... Respondent/Complainant

For Petitioner : Mr.S.Muniyandi

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To release the petitioner/A1 on bail in S.C.No.109 of 2025 on the file of the learned I Additional District and Sessions Judge, Thoothukudi in connection with Crime No.162 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 02.04.2025



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under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to
grant bail.

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2. The petitioner/A1 was arrested and remanded to judicial custody on 06.07.2024 for the alleged offences punishable under Sections 120B, 201, 302 and 364 of Indian Penal Code, 1860, in Crime No.162 of 2024 on the file of the respondent-police. Initially, the case was registered as 'Man Missing' case, and later, it was altered. After the investigation, the charge sheet has been filed and the same was taken on file as S.C.No.109 of 2025 on the file of the learned I Additional District and Sessions Judge, Thoothukudi.

3. The case of the prosecution is that on 21.06.2024, the defacto complainant lodged a complaint stating that his son was missing. Upon investigation, the respondent-police found that due to previous enmity, the petitioner and other accused persons, under the influence of alcohol, kidnapped the defacto complainant's son, murdered him, and buried his body by digging a pit. The respondent-police then arrested the petitioner. Hence the case.

4. Mr.S.Muniyandi, 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 further submits that the petitioner has been in judicial custody since 06.07.2024 and is ready to abide by any conditions that



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may be imposed by this Court. He therefore prays to grant bail to the petitioner.

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5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-police, submits that the petitioner was initially detained under the Act 14/1982, and later, the detention was revoked. He further submits that after completion of investigation, the charge sheet has been filed and the same was taken on file as S.C.No.109 of 2025 by the learned I Additional District and Sessions Judge, Thoothukudi. He further submits that the petitioner has three previous cases interalia one under Section 307 of the Indian Penal Code, 1860. Therefore, if bail is granted to the petitioner, he may cause threat to the defacto complainant and witnesses, thereby delaying the trial proceedings. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner was arrested on 06.07.2024 and has been in judicial custody since then. It is noticed that the detention order against the petitioner has been revoked. There is no ocular witness in this case. Only based on the extra judicial confession given by A2, the petitioner has been arrayed as an accused. Considering the stage of the case and considering the cumulative circumstances, 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:



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(i) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned I Additional District and Sessions Judge, 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 I Additional District and Sessions Judge, Thoothukudi shall obtain a copy of any one of identity proofs to ensure their identity;

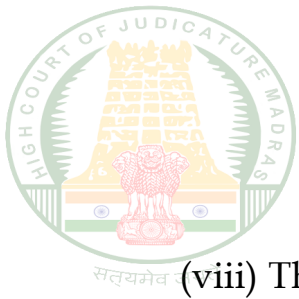
(iii) The petitioner shall furnish his residential address and mobile number to the learned I Additional District and Sessions Judge, Thoothukudi;

(iv) The petitioner shall stay at Trichy after execution of suretyship and appear and sign before the Cantonment Police Station daily at 08.00 a.m. and 06.00 p.m., until further orders;

(v) The petitioner shall not enter into Loorthammalpuram, Metupatti Village until further orders;

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

(vii) 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;



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(viii) 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;

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

(x) On breach of any of the aforementioned conditions, the learned I Additional District and Sessions Judge, 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].

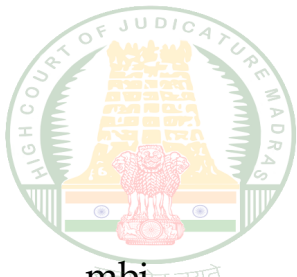
8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
04/04/2025

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



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TO
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- 1.The I Additional District and Sessions Judge, Thoothukudi.
 - 2.The Officer-in-charge,
District Prison, Perurani, Thoothukudi District.
 - 3.The Inspector of Police,
Thalamuthunagar Police Station, Thoothukudi District.
 - 4.The Inspector of Police,
Cantonment Police Station, Trichirappalli District.
 - 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.JEYA ARON RAJA, Advocate (SR-3917[I] dated 04/04/2025)

ORDER
IN
CRL OP(MD) No.6183 of 2025
Date :04/04/2025

NBF/SAR/ (04/04/2025) 6P/7C

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