



CRL OP(MD). No.6185 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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Gopinath

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep.By the Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi, Thoothukudi District.
Crime No.198 of 2024

... Respondent/ Complainant

For Petitioner : Mr.N.Pragalathan

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner herein on bail in the case in S.C.No.213 of 2024 on the file of the II Additional District and Sessions Court, Thoothukudi in Crime No.198 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 02.04.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner / accused No.1 was arrested and remanded to judicial custody on 12.05.2024 for the alleged offences punishable under Sections 147, 148, 294(b), 302 and 506(ii) of the Indian Penal Code, 1860 in Crime No.198 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that the deceased who was petitioner's brother-in-law, who owned a gym, which is in the name of the petitioner's father-in-law, after the death of the father-in-law, deceased allegedly refused to partition the property and give the share of petitioner's wife. Hence, on 11.05.2024, at about 10.00 p.m, the petitioner along with other accused persons assembled unlawfully with deadly weapons, assaulted the deceased and murdered him. Hence the case.

4. Mr.N.Pragalathan, the learned counsel appearing for the petitioner submits

that the petitioner did not commit any offence as alleged by the prosecution and that

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he has been falsely implicated in this case. He further submits that the petitioner has been in judicial custody since 12.05.2024. He however submits that the petitioner is ready to abide by any condition to be imposed by this Court. He therefore prays to grant bail to the petitioner.

5. Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-police, submits that the case in S.C.No.213 of 2024 on the file of the II Additional District and Sessions Court, Thoothukudi is now posted for further proceedings in trial on 22.04.2025 and in view of the gravity of the offence committed by the petitioner and other accused persons, at this stage of trial, if bail is granted to the petitioner, the petitioner will cause threat to the defacto complainant and other witnesses. He further submits that the petitioner has one previous case registered under Section 302 of Indian Penal Code, 1860. Therefore, he prays to dismiss this Criminal Original Petition.

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

7. It appears that the deceased is none other than the brother-in-law of the petitioner. The petitioner and other accused persons chased the deceased and



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indiscriminately attacked him with knife and other weapons and caused more than 26 cut injuries on the body of the deceased. Further it appears that the case in S.C.No.213 of 2024 on the file of the II Additional District and Sessions Court, Thoothukudi is posted for examination on 22.04.2025. In view of the nature of averments in the First Information Report and in view of the nature of the offences in this case, if bail is granted to the petitioner at this stage, the petitioner may abscond, cause threat to the witnesses and thereby delay the trial proceedings. Hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
04/04/2025

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/05/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1.The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi,
Thoothukudi District.

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2. THE OFFICER INCHARGE,
DISTRICT JAIL,
PERURANI,
THOOTHUKUDI
DISTRICT.

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

ORDER
IN
CRL OP(MD) No.6185 of 2025
Date :04/04/2025

VN/06.05 .2025 5P/4C

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