



CRL OP (MD) No.7530 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/04/2025

PRESENT

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

CRL OP (MD) No.7530 of 2025

Murugan

... Petitioner/Sole Accused

Vs.

The State of Tamil Nadu
Represented by
The Inspector of Police,
SIPCOT Police Station,
Thoothukudi District.
(Crime No.6 of 2025)

... Respondent/Complainant

For Petitioner : Mr.G.Radhakrishnan,
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.6 of 2025 on the file of the respondent-police



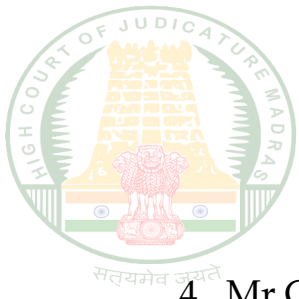
CRL OP (MD) No.7530 of 2025

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 22.04.2025 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 02.01.2025 for the offence punishable under Section 103(1) of Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.6 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant's brother was working as a woodcutter. On 01.01.2025, at 08:45 a.m., he went to his job but did not return home. Subsequently, the defacto complainant came to know that her brother had died due to head injury sustained in the Ayyana Adaippu Forest area. Accordingly, she lodged a complaint with the respondent-police. Upon investigation, the respondent-police found that the petitioner, who is also a woodcutter, had, due to a dispute regarding the cutting of trees, attacked the deceased on the head with a wooden log, causing injuries that led to his death on the spot. Hence, the case.



CRL OP (MD) No.7530 of 2025

WEB COPY

4. Mr.G.Radhakrishnan, learned counsel for the petitioner, submits that the petitioner is an innocent person, that he has not committed 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 further submits that the petitioner has been in judicial custody since 02.01.2025, i.e. for more than 110 days. 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 the investigation has been completed and charge sheet has been filed before the concerned Court. He further submits that there is no eye witness in this case. He however submits that if bail is granted to the petitioner, he may cause threat to the defacto complainant and the family members of the deceased. He further submits that there is no previous case pending against the petitioner. However, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides and perused the records.



CRL OP (MD) No.7530 of 2025

7. The petitioner was arrested on 02.01.2025 and has been in judicial custody since then. Based on the circumstantial evidence only, the petitioner was arrested and remanded to judicial custody. In view of the fact that the investigation has been completed and the charge sheet has been filed, this Court is of the opinion that further custody of the petitioner is not necessary for the Investigating Agency. Further, the petitioner has permanent residence and deep roots in the society, and hence, there is less possibility of absconding. Considering the same, and also considering the period of incarceration suffered by the petitioner, 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:

(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 III, 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 Judicial Magistrate III, Thoothukudi, shall obtain a copy



CRL OP (MD) No.7530 of 2025

of any one of identity proofs to ensure their identity;

WEB COPY

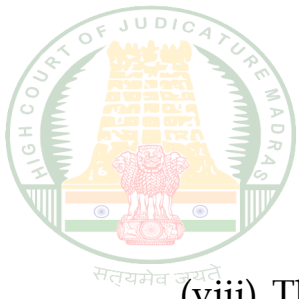
(iii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate III, Thoothukudi;

(iv) The petitioner shall appear and sign before the respondent-police daily at 10.00 a.m., until further orders;

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

(vi) 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;

(vii) 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;



CRL OP (MD) No.7530 of 2025

WEB COPY

(viii) The petitioner shall not cause any threat to the defacto complainant and the family members of the decease; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate III, 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/-
24/04/2025

/ TRUE COPY /

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

TSG

TO

1 THE JUDICIAL MAGISTRATE III
THOOTHUKUDI



CRL OP (MD) No.7530 of 2025

WEB COPY

2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, PERURANI.

4 THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
THOOTHUKUDI DISTRICT

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

ORDER

IN

CRL OP(MD) No.7530 of 2025

Date :24/04/2025

SS/SAR- /25/04/2025/ 7P/6C

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