



CRL OP(MD). No.8108 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/05/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.8108 of 2025

Kishore

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep. by its the Inspector of Police,
Melur Police Station,
Madurai District.
Crime No.69 of 2025

... Respondent/Complainant

For Petitioner : Mr.J.William Christopher,
Advocate

For Respondent : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No.69 of 2025 on the file of the Respondent-Police.



CRL OP(MD). No.8108 of 2025

ORDER : The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 28.04.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant bail.

2. The petitioner / Accused No.1 was arrested and remanded to judicial custody on 08.02.2025 for the offences punishable under Section 103(1) of BNS, 2023 in Crime No.69 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner and the deceased were friends. It is alleged that the deceased had deliberately continued flirting with the petitioner's mother. On 06.02.2025, when the petitioner went to his house, he found the deceased sitting inside and speaking with his mother. The petitioner became provoked, condemned both of them, and left the house on his father's motorcycle. Subsequently, with the help of Accused No.2, the petitioner arranged to meet the deceased at Hussain Bhai Murukku Shop in Kallampatti, Sukkumpatti Village, on Alagarkoil Road. At about 9:45 p.m., a wordy quarrel ensued between the petitioner and the deceased, during which the petitioner inflicted cut injuries on the hands, chest, and head of the deceased using an aruval. Accused No.2 also used the same aruval to inflict injuries on the deceased's head and legs. Both accused then fled the scene. Based on the complaint given by the father of the deceased, the petitioner



CRL OP(MD). No.8108 of 2025

was arrested and remanded to judicial custody on 08.02.2025. Hence, the case.

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4. Mr.J.William Christopher, 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 08.02.2025. He further submits that the petitioner is a college going student. He therefore prays for grant of bail to the petitioner.

5. Per contra, Mr.A.Thiruvadi Kumar, the learned Additional Public Prosecutor appearing for the respondent-police, submits that the investigation has been completed and charge sheet was filed before the concerned Court. He further submits that if bail is granted to the petitioner, he may cause threat to the defacto complainant and the witnesses. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides and perused the records.

7. The petitioner was arrested and remanded to judicial custody on 08.02.2025. In view of the offences allegedly committed by the petitioner, and taking note of the fact that the charge sheet has been filed before the concerned Court, this Court is of the opinion that further custody of the petitioner is not necessary for the



CRL OP(MD). No.8108 of 2025

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Investigating Agency in this case. Further, the petitioner has permanent residence, and hence, there is less possibility of absconding. Considering the same, and also considering the period of incarceration, and with a view to give one more opportunity to the petitioner to reform himself, 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:

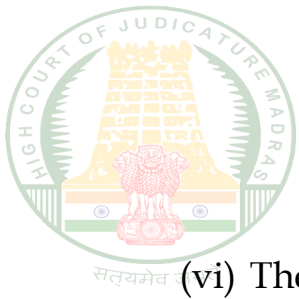
(i) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate, Melur;

(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, Melur, 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 Judicial Magistrate, Melur;

(iv) The petitioner shall appear and sign before the learned Judicial Magistrate, Melur, on all working days at 05.30 p.m., until further orders;

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



CRL OP(MD). No.8108 of 2025

WEB COPY

(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;

(viii) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Melur, 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/-
08/05/2025

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



CRL OP(MD). No.8108 of 2025

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TSG
TO

1. The Judicial Magistrate, Melur.
 2. Do-Through The Chief Judicial Magistrate,
Madurai District.
 3. The Officer-in-Charge, Sub Jail, Virudhunagar.
 4. The Inspector of Police,
Melur Police Station,
Madurai District.
 5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.J.WILLIAM CHRISTOPHER, Advocate (SR-5403[I] dated 09/05/2025)

ORDER
IN

CRL OP(MD) No.8108 of 2025
Date :08/05/2025

MK/SAR /09.05.2025 6P/7C

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