



CRL OP(MD). No.8473 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.8473 of 2025

Ragul

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
The Inspector of Police,
Ayyampettai Police Station,
Thanjavur District..
Crime No.1011 of 2024

... Respondent/ Complainant

For Petitioner : Mr.K.M.Karunakaran,
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No.1011 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 06.05.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant bail.

2. The petitioner / Accused No.2 was arrested and remanded to judicial custody on 09.12.2024 for the offences punishable under Section 103, 126(2), 296(b), 351(3) of BNS, 2023 @ 103, 126(2), 296(b), 351(3), 61(2)(a) of BNS, 2023 in Crime No.1011 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that the deceased was a driver of a mini-bus. On 06.12.2025, at about 11.00 p.m., when the deceased was driving a mini-bus after refueling it at a petrol station. At that time, the petitioner, along with Accused Nos. 1 and 3 way-laid the bus by placing their two-wheelers in front of it. This led to a quarrel between the parties, and the deceased subsequently lodged a complaint with the respondent-police on 06.12.2024. As a result, Accused No.1 conspired with six others including the petitioner herein and planned to murder the deceased. On 07.12.2024, Accused Nos. 1, 2, and 3 intercepted the deceased as he was returning from a tea shop. Suddenly, Accused No.1 and the petitioner herein repeatedly attacked the deceased with a sickle and a sword. When the defacto complainant and his relatives rushed to the spot, the petitioner, along with the other accused,



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threatened them and fled the scene. The deceased sustained severe injuries and later succumbed to them. Based on a complaint lodged by the father of the deceased, the petitioner herein was arrayed as Accused No.2 and was remanded to judicial custody on 09.12.2024.

4. Mr.K.M.Karunakaran, 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 09.12.2024. 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 and the same has been taken on file as P.R.C.No.6 of 2025. 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 09.12.2024.

In view of the offences allegedly committed by the petitioner, and taking note of the



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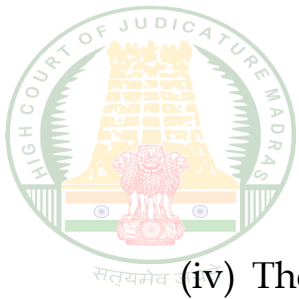
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fact that the charge sheet has been filed before the concerned Court, this Court is of the opinion that further custody of the petitioner is not necessary for the Investigating Agency in this case. Further, the petitioner has permanent residence, and 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 a sum of 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 III, Thanjavur;

(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, Thanjavur, 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 III, Thanjavur;



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(iv) The petitioner shall appear and sign before the concerned jurisdictional Magistrate on all working days at 10.30 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 BNSS, 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;

(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 III, Thanjavur, 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].



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

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

TSG

TO

1 THE JUDICIAL MAGISTRATE NO.III
THANJAVUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.

3. The Superintendent, Central Prison, Trichy.

4. The Inspector of Police,
Ayyampettai Police Station,
Thanjavur District.

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-5377[I] dated 08/05/2025)



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ORDER
IN
CRL OP(MD) No.8473 of 2025
Date :08/05/2025

MK/SAR /09.05.2025 7P/7C

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