



CRL OP(MD). No.8607 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.06.2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.8607 of 2025

Kabilan

... Petitioner/ Accused No.3

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Vattathikkottai Police Station,
Thanjavur District.
Crime No. 86 of 2025.

... Respondent/ Complainant

For Petitioner : Mr.S.Deenadhayan,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl. Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.86 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-



CRL OP(MD). No.8607 of 2025

WEB COPY

The petitioner /Accused No.3, who was arrested and remanded to judicial custody on 20.04.2025 for the offences under Sections 115(2), 126(2), 191(2), 296(b) of BNS, 2023 altered to Sections 105, 115(2), 126(2), 191(2), 296(b) and 49 of BNS, 2023 in Crime No.86 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant, namely Krishnaveni is that, on 17.04.2025, the defacto complainant along with her husband namely, Arunpandian were going in a two wheeler to his native, at that time, all the accused persons including the petitioner herein, restrained the defacto complainant and her husband, abused the defacto complainant's husband in filthy language and assaulted him on his head by using hands. Subsequently, the defacto complainant and her husband went to her residence. Due to a surgery undergone in his head and due to the assault made by the accused persons, he was suffering from fitz and admitted into Pattukkottai Government Hospital and subsequently, he was taken to Thanjavur Medical College hospital. Later, on 20.04.2025, the defacto complainant's husband died. Hence, this case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that there is no intention or motive on the part of the



CRL OP(MD). No.8607 of 2025

petitioner to cause death of the defacto complainant's husband and the petitioner was arrested and he is in custody from 20.04.2025. Hence, he seeks bail.

WEB COPY

4. The learned Government Advocate (Criminal Side) would submit that totally there are six accused in the case and the petitioner is arrayed as A3. The defacto complainant's husband and the petitioner/A1 were working in the same company. Due to the previous enmity between the petitioner and the deceased, with a motive, the petitioner along with the other accused attacked the deceased. He further submits that the deceased had undergone a surgery in his head due to the accident met by him in the last year and due to the assault made by the accused persons, he was suffering from fitz and taken to hospital, but he died on 20.04.2025 and the investigation is still pending in this case. Hence, he vehemently opposed to grant bail to the petitioner. However, he fairly concedes that the petitioner is having no previous case.

5. Taking into consideration of the facts and circumstances of the case and also taking into consideration of the period of incarceration and it is a case of culpable homicide not amounting to murder and the petitioner is in custody for more than 50 days and by this time, most of the investigation might have been completed and also considering the fact that the petitioner is having no previous case, this Court is



CRL OP(MD). No.8607 of 2025

inclined to grant bail to the petitioner, subject to the following conditions:

WEB COPY

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate, Pattukkottai and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate, Pattukkottai. If the petitioner changes his residential address, he shall report the same to the concerned Court.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during



CRL OP(MD). No.8607 of 2025

investigation or trial.

WEB COPY

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

sd/-
10/06/2025

/ TRUE COPY /

11/06/2025

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

MAC
TO

1. THE JUDICIAL MAGISTRATE,
PATTUKKOTTAI.

2.DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.



CRL OP(MD). No.8607 of 2025

WEB COPY

3. THE OFFICER IN-CHARGE,
DISTRICT PRISON, PUDUKOTTAI.

4. THE INSPECTOR OF POLICE,
VATTATHIKKOTTAI POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-6127[I] dated 10/06/2025)

ORDER
IN

CRL OP(MD) No.8607 of 2025

Date :10/06/2025

HPS/11.06.2025 /6P/7C

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