



CRL OP(MD). No.8716 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 03/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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Muthumaran @ Muthukumaran
S/o.Manimaran,
3/9J, Ezhupatti Kallar Street,
Inathukanpatti,
Thanjavur District.

..Petitioner/ Accused No.14

Vs

The State of Tamil Nadu,
Rep. by The Inspector of Police,
Vallam Police Station,
Thanjavur District.
(Crime No.106 of 2025)

... Respondent/ Complainant

For Petitioner : M/s.M.Mohammed Riyaz
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.106 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner / Accused No.14, who was arrested and remanded to judicial custody on 14.03.2025 for the offences punishable under Sections 191(2), 191(3) 126 (2), 103 of BNS altered into 191(2), 191(3), 126(2), 103, 61(2)(a) of BNS in Crime No.106 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto-complainant is the wife of the deceased Kurunthaiyan. In the year 2013, due to local body election there was some dispute between the deceased and others, thereby, the said Kurunthaiyan murder the brother of the petitioner. Due to which, there was previous enmity between the petitioner and the deceased. On 11.03.2025, when the deceased was driving on his two wheeler at Vallam to Orathanadu Road and on instruction of the petitioner, the accused persons and some unknown persons were came on car and dashed the deceased two wheeler and he fell down, at that time the accused persons attacked and murdered the deceased with weapon and escaped from the scene of occurrence. Hence, the case.

3. The learned counsel for the petitioner would submit that in this case there are totally 14 accused. This petitioner was arrayed only as 14th accused. There was previous enmity between the deceased and other accused persons regarding local body election. The 1st accused is said to have doing some illegal business in black



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market. For doing the said business, the accused persons and the deceased have some previous enmity. The petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in custody from 14.03.2025 nearly 81 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that there are totally 14 accused, this petitioner was arrayed as 14th accused. In the year 2013, due to local body election there was some dispute between the deceased and others, thereby, the said Kurunthaiyan murder the brother of the petitioner. Due to which, there was previous enmity between the petitioner and the deceased. At the instigation of this petitioner, On 11.03.2025, the accused persons hit the vehicle of the deceased and attacked him brutally and murdered the deceased Kurunthaiyan. The deceased was also involved in two murder case. In this case, this petitioner is one of the instigator. The petitioner was not present at the time of occurrence. He would further submit that there is no previous case against the petitioner. However, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking into consideration that in this case, the specific overtact is only against the other accused persons, the petitioner is only acted as instigator and in this case investigation is almost completed and taking into consideration of the period of



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incarceration and considering the fact that there is no previous case against the
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petitioner. This court is inclined to grant bail to the petitioner, subject to the
following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on 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 Judicial Magistrate Court No.II,
Thanjavur, Thanjavur District 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 mobile number to
the Judicial Magistrate Court No.II, Thanjavur, Thanjavur District.

(c) If the petitioner changes his residential address, he shall report the same to
the Judicial Magistrate Court No.II, Thanjavur, Thanjavur District.

[d] the petitioner shall appear and sign before the respondent police daily
twice at 10.30 a.m. and 05.30p.m.until further orders.

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

[f] the petitioner shall not tamper with evidence or witness either during
investigation or trial.



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[g] 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].

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

sd/-
03/06/2025

/ TRUE COPY /

03/06/2025
Sub-Assistant Registrar (CS-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN

TO

1. THE JUDICIAL MAGISTRATE COURT NO.II,
THANJAVUR, THANJAVUR DISTRICT.



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2. THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

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

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

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

+1 CC to M/s.A.ROBINSON, Advocate (SR-5880[I] dated 03/06/2025)

ORDER
IN
CRL OP(MD) No.8716 of 2025
Date :03/06/2025

PR/03.06 .2025 6P/7C

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