



CRL OP(MD)No.8703 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14.05.2025

PRESENT

The Hon`ble Mr.Justice K.RAJASEKAR

CRL OP(MD)No.8703 of 2025

Bharanidharan @ Kiruba

... Petitioner

Vs

The Inspector of Police,
Budhalur Police Station,
Thanjavur District.
(Crime No.60 of 2025)

... Respondent

For Petitioner : Mr.S.Poornachandran

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 BNSS, 2023

PRAYER :-

For Bail in Crime No.60 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who was arrested and remanded to judicial custody on 22.04.2025 for the offences punishable under Sections 296(b), 115(2), 351



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(2) BNS altered into Sections 296(b), 115(2), 351(3) and 118(1) BNS and Section 194

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BNSS in Crime No.60 of 2025 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to property dispute, the petitioner joined hands with other accused, attacked the deceased with hands and also kicked him, which caused severe injuries. Hence, he was admitted in the hospital and subsequently discharged from the hospital. Once again, he was admitted in the hospital on 21.04.2025 and he died on 22.04.2025 and thereafter, the offence invoking murder has been included and the petitioner was arrested on 22.04.2025.

3.The learned counsel for the petitioner submitted that the deceased was not died due to the injuries sustained and he died due to the several ailments and no offences are made out as against the petitioner. He further submitted that the petitioner has been arrested and he is languishing in jail from 22.04.2025. Therefore, he prays for grant of bail.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that there is no previous case pending against the petitioner and due to the property dispute, the occurrence took place. He further submitted that initially the deceased was admitted in the hospital and subsequently, he was discharged and after some time, once again, he was admitted in the hospital. The investigation in this case is pending.



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5.Considering the nature of overt act attributed against the petitioner and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruvaiyaru;

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required;

(iii)the petitioner shall not tamper with evidence or witness;

iv)the petitioner shall not abscond during trial.



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सत्यमेव जयते) 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].

sd/-
14/05/2025

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

gns
TO

- 1 THE JUDICIAL MAGISTRATE, THIRUVAIYARU.
- 2 THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, THANJAVUR.
4. The Inspector of Police,
Budhalur Police Station, Thanjavur District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.8703 of 2025
Date :14/05/2025

MK/SAR /15.05.2025 4P/6C

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