



CRL OP(MD). No.8798 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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Muharshilan @ Mugar sheelan
S/o.Karnan, No.388/1, Kallar Street,
Vellalaviduthi Post,
Karnanpakkudi Taluk,
Pudukottai District.

...Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep. By, The Inspector of Police,
Malaiyur Police Station,
Pudukottai District.

(Crime No.46 of 2025)

... Respondent/Complainant

For Petitioner : M/s.C.Susikumar
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.46 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 05.04.2025 for the offences punishable under Sections 126(2), 296(b), 49



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and 103(1) of BNS, 2023 in Crime No.46 of 2025 on the file of the respondent police,

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seeks bail.

2. The case of the prosecution is that the defacto-complainant is the own brother of the deceased Murugesan. The relative girl of the deceased and one Navin were fall in love and they were eloped. Subsequently, by the elders of the family they were secured and separated. The accused persons apprehended that the deceased Murugesan is the reason for their separation, in order to take revenge for the said act, the accused persons were brutally assaulted the deceased near Malaiyur wine shop and thereby he sustained severe injury. Hence, the case.

3. The learned counsel for the petitioner would submit that 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 05.04.2025 nearly 59 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the Defacto-complainant is the brother of the deceased person. The relative girl of the deceased and one Navin have love affair and thereby they were eloped. Knowing the same, the relatives of the victim girl and elders were secured and separated them. The accused persons misunderstood that the deceased Murugesan is the reason for their separation and thereby the 1st accused was brutally assaulted the



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deceased Murugesan, due to which he sustained severe injury and later he died.

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This petitioner was arrayed as Accused No.2. At the time of occurrence, this petitioner was helped the 1st accused to escape from the scene of occurrence. He would further submit that there is no previous case against the petitioner. The first accused was secured by the respondent police and he is still in custody. However, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note that in this case, the specific overtact is only against the 1st accused and taking into consideration of the period of incarceration and considering the fact that there is no previous case against the 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, Karambakudi 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



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the learned Judicial Magistrate, Karambakudi.

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(c) If the petitioner changes his residential address, he shall report the same to the Judicial Magistrate, Karambakudi;

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

[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

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03/06/2025

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



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TO
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- 1 THE JUDICIAL MAGISTRATE, ARAMBAKUDI.
 - 2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, PUDUKOTTAI DISTRICT.
 - 3 THE OFFICER INCHARGE , DISTRICT JAIL, PUDUKOTTAI.
 - 4 THE INSPECTOR OF POLICE, MALAIYUR POLICE STATION,
PUDUKKOTTAI DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS
HIGH COURT, MADURAI.
- +1 CC to M/s.C.SUSI KUMAR, Advocate (SR-5887[I] dated 03/06/2025)

ORDER
IN
CRL OP(MD) No.8798 of 2025
Date :03/06/2025

NBF/03.06.2025 5P/7C

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