



CRL OP(MD)No.9028 of 2025

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

Date : 21.05.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI
CRL OP(MD)No.9028 of 2025

Raja

... Petitioner

Vs

The State of TamilNadu,
Rep. by Inspector of Police,
Mallanginar Police Station,
Virudhunagar District.
(Crime No.71 of 2025)

... Respondent

For Petitioner : M/s.C.Karthikeya
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 BNSS, 2023

PRAYER :-

For Bail in Crime No.71 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 27.03.2025 for the offences punishable under Sections 126(2) and 103(1) of BNS, in Crime No.71 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto-complainant is living at Keelathulukkankulam, New colony and his unmarried brother Rajendran has affairs with one Mahalakshmi, w/o.Muthusamy, and the illegal affair of the Rajendran was



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warned[®] by Mahalakshmi's son, Prabakaran. On the date of the occurrence, i.e., 26.03.2025 at about 8 P.M., when the deceased was riding his bicycle near village cremation rites corner, the petitioner and other accused waylaid him and indiscriminately stabbed him with knife and thereby caused injuries in his left chest, stomach and back and he was rushed to Government Hospital where he was declared as died.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he has been arrested and he is languishing in jail from 27.03.2025. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent police opposed for grant of bail on the ground that the investigation is still pending.

5. Considering the duration of the custody and considering the facts that no specific overt act as against the petitioner, and there is no previous case against the petitioner, 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.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Kariyapatti, Virudhunagar district, and on further



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conditions that,

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a)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;

b)the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

c)the petitioner shall not tamper with evidence or witness;

d)the petitioner shall not abscond during trial.

e)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].

f) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

sd/-
21/05/2025

/ TRUE COPY /

23/05/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO
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1. The Judicial Magistrate, Kariyapatti, Virudhunagar District.
2. Do through the Chief Judicial Magistrate, Virudhunagar District at Srivilliputhur.
3. The Superintendent, District Prison, Virudhunagar.
4. The Inspector of Police,
Mallanginar Police Station, Virudhunagar District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.9028 of 2025
Date :21/05/2025

NBF/23.05.2025 4P/6C

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