



CRL OP(MD). No.9248 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.9248 of 2025

Kasivel

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.
Cr.No.64 of 2025.

... Respondent/ Complainant

For Petitioner : Mr.Sasti Kumaran.K
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No.64 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, who was arrested and remanded to judicial custody on 28.03.2025 for the offences under sections 296(b), 115(2), 351(2), 105 of BNS, 2023 @ 296(b), 115(2), 103(1), 351(2) of BNS, 2023 and Section 4 of TNPHW Act, in Crime No.64 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 herein and other accused have abused the defacto complainant's husband in filthy language and also attacked him with iron rod and wooden log and he was admitted in the hospital and later on, he was died in the hospital. 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 further submits that the co-accused has already been released on bail by the trial Court in Crl.M.P.No. 203 of 2025, dated 27.03.2025. Hence, he seeks bail.

4. The learned Government Advocate (Crl. side) appearing for the respondent – Police fairly conceded that the co-accused have already been released on bail by



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the trial Court and that there is two previous cases pending against the petitioner.

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He further submitted that investigation of the case is pending and hence, he opposed to grant bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the fact that the co-accused have already been released on bail by the trial Court and that the petitioner is in judicial custody from 28.03.2025 and also taking into consideration of the fact that at this time, the investigation might have been completed, this court is inclined to grant bail to the petitioners, subject to the certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Sathankulam 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 report before the respondent police daily at 10.30 am



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until further orders;

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[c] the petitioner shall submit his residential address and contact number to the learned Judicial Magistrate, Sathankulam. If he changes the residence, he shall inform the same to the concerned Magistrate without fail.

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

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

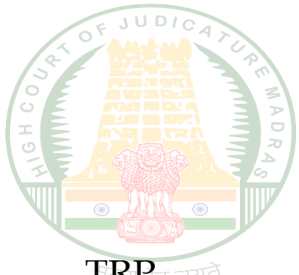
[f] on breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down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

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
04/06/2025

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/06/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TRP
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TO

1. The Judicial Magistrate, Sathankulam
2. Do-Through The Chief Judicial Magistrate,
Tuticorin District.
3. The Superintendent, Central Jail, Palayamkottai.
4. The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.9248 of 2025
Date :04/06/2025

HPS/05.06.2025 /5P/6C

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