



CRL OP(MD). No.9256 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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Surendar

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
Cr.No.35/2025.

... Respondent/Complainant

For Petitioner : Mr.N.Dilipkumar
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.35 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 18.03.2025 for the offences under sections 194 BNS, 2023 @ 103(1), 61(2) of BNS, 2023, in Crime No.35 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to land dispute, on 25.02.2025, when the deceased went to the agricultural field, A1, who is the brother – in – law of the deceased Karuppiah, arranged the hirelings, viz., the petitioner herein and other accused and committed the murder of the deceased and his friend. Hence, the case.

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. He further submits that co-accused have already been released on bail by this Court. Hence, he seeks bail.

4. The learned Government Advocate (Crl. side) appearing for the respondent – Police submitted that there is no previous case pending against the petitioner. He further submitted that the co-accused have already been released on bail by this



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Court vide order, dated 21.05.2025 in CrI.O.P(MD).No.8838 of 2025. However, he
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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 this Court and also taking into consideration of the fact that the petitioner is in judicial custody from 18.03.2025, this court is inclined to grant bail to the petitioner, 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, Andipatti, Theni 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 report before the respondent police daily at 10.30 am and 5.00 pm until further orders;



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[c] the petitioner shall submit his residential address and contact number before the learned Judicial Magistrate, Andipatti, Theni District. 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.

TRP
TO

1. The Judicial Magistrate, Andipatti, Theni District



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2. Do-Through The Chief Judicial Magistrate,
Theni District.

3. The Superintendent, Central Prison, Thekkampatti, Theni.

4. The Inspector of Police,
Kadamalaikundu Police Station,
Theni District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1. CC to N.DILIPKUMAR Advocate SR.No.31648 (F) dated 04/06/2025

ORDER
IN

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Date :04/06/2025

HPS/05.06.2025 /5P/7C

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