



CRL OP(MD).No.9511 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.9511 of 2025

Nallandavan,
S/o.Pandiyan,
Aachampatti,
Gandharvakottai Taluk,
Pudukottai District.

..Petitioner/ Accused No.2

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Gandharvakottai Police Station,
Pudukkottai District.
(Crime No.43 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.K.C.Maniyarasu
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.43 of 2025 on the file of the Respondent Police.



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ORDER: This Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 23.02.2025 for the offences punishable under Sections 103(1) of BNS Act in Crime No.43 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that Defacto-complainant's father was selling drinking water through his tractors. He borrowed loan from the first accused for a sum of Rs.5,00,000/- and he failed to repay the same. On 23.02.2024, at about 06.00a.m. the first accused and other accused persons had pushed his father down and put a stone on his head and instigated other accused to kill him and they had also put stones on his head. He sustained head injury and died on spot. 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 offences as alleged by the prosecution. The petitioner is ready and willing to abide and conditions that may be imposed by this Court. This petition is a second bail application. He would further submit that the petitioner is in custody from 23.02.2025 nearly 105 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that due



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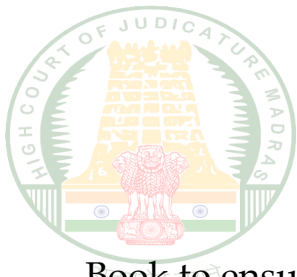
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to money dispute between the defacto-complainant's father and the first accused, on 23.02.2024, the first accused and other accused persons attacked the defacto-complainant's father and he sustained head injury and he died on the spot. In this case, this petitioner was arrayed as second accused. A1 is still in judicial custody. In this case, investigation is completed and the charge sheet is made ready and it will be filed before the trial Court. There is no previous case against the petitioner. 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 of the fact that in this case, investigation was completed and the charge sheet was made ready, there is no previous case against the petitioner, the petitioner/accused remanded into judicial custody on 23.02.2025, taking into consideration of the period of incarceration, 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 District Munsif cum Judicial Magistrate, Gandharvakottai 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



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Book to ensure their identity.

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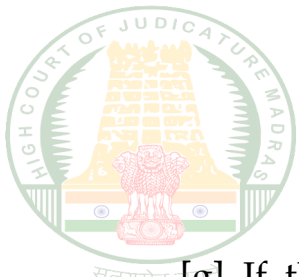
[b] The petitioner shall furnish his residential address and mobile number to the District Munsif cum Judicial Magistrate, Gandharvakottai. If the petitioner changes his residential address, he shall report the same to the District Munsif cum Judicial Magistrate, Gandharvakottai;

[c] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m. until further orders.

[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].



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

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

gvn

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, GANDHARVAKOTTAI.

2 THE CHIEF JUDICIAL MAGISTRATE
PUDUKKOTTAI DISTRICT

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUDUKKOTTAI.

4. The Inspector of Police,
Gandharvakottai Police Station,
Pudukottai.

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

+1 CC to M/s.K.C.MANIYARASU, Advocate (SR-6076[I] dated 09/06/2025)



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ORDER
IN
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Date :09/06/2025

MK/09.06.2025 6P/7C

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