



CRL OP(MD). No.9982 of 2025

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

Date : 07.07.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD). No.9982 of 2025

Aswath Kumar

... Petitioner/  
Sole Accused

Vs

State of Tamil Nadu rep. by its,  
The Inspector of Police,  
Kayathar Police Station,  
Thoothukudi District.  
(Crime No.73 of 2025)

... Respondent/  
Complainant

For Petitioner : Mr.S.Ashok,  
Advocate.

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

For Intervenor : Mr.N.Vanamaharaja,  
Advocate.



CRL OP(MD). No.9982 of 2025

PETITION FOR BAIL Under Section 483 B.N.S.S.

PRAYER :-

For Bail in S.C.No.155 of 2025 on the file of the Principal District Court, Thoothukudi, in connection with Crime No.73 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Sole Accused, who is facing a case for the offences punishable under Sections 296(b), 351(2) and 232(1) BNS, 2023, in S.C.No.155 of 2025 on the file of the Principal District Court, Thoothukudi, in Crime No.73 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was an accused in S.C.No.66 of 2024 for murdering his own father and the said occurrence was happened in front of the house of the defacto complainant, who is the father-in-law of the petitioner and in order to prevent the defacto complainant from deposing his witness, the petitioner had abused him in filthy language and also threatened him with dire consequences. Hence, the case.

3. No doubt, the petitioner's earlier petition for bail in CrI.O.P.(MD)No.8163 of 2025 was dismissed as withdrawn by this Court vide order dated 30.04.2025.



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4. The learned counsel appearing for the petitioner would submit that after completion of investigation, the respondent police has filed a charge sheet and the same was taken on file in S.C.No.155 of 2025 on the file of the Principal District Court, Thoothukudi. He would further submit that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution and that the petitioner is no way connected with the case, a false case has been lodged as against the petitioner. The petitioner is ready and willing to abide any conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 01.03.2025 nearly 3 months. Hence, he seeks bail.

5. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that previously the petitioner murdered his own father and in that case, the defacto complainant is an eye witness and hence, the petitioner had threatened him. He would further submit that threatening a witness not to depose evidence is a serious offence and that the defacto complainant was not at all cross-examined by the petitioner till date in the case in S.C.No.66 of 2024. Hence, he objected to grant bail to the petitioner.



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6. The learned counsel appearing for the intervenor has raised serious objections to grant bail to the petitioner and would submit that if the petitioner is released on bail, it will be a great life threat to the defacto complainant and his family members.

7. Considering the seriousness and gravity of the offence alleged as against the petitioner and also the objections raised by the learned Government Advocate (Criminal Side) appearing for the respondent and the learned counsel appearing for the intervenor and taking note of the bad antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner.

8. In the result, this Criminal Original Petition is dismissed.

sd/-  
07/07/2025

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/08/2025  
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



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1. The Superintendent,  
Central Prison,  
Palayamkottai.
2. The Inspector of Police,  
Kayathar Police Station,  
Thoothukudi District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

ORDER  
IN  
CRL OP(MD) No.9982 of 2025  
Date :07/07/2025

PS/SAR.06.08.2025 5P/4C

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