



CRL OP(MD).No.9962 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.9962 of 2025

**Nambirajan,
S/o.Esakkipandian,**

**..Petitioner/ Accused
No.1**

Vs

**The State of Tamilnadu
rep.by The Inspector of Police,
Asaripallam Police Station,
Nagercoil.
(Crime No.06 of 2025)**

.. Respondent/ Complainant

**For Petitioner : Mr.R.Muthuram
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.06 of 2025 on the file of the Respondent Police.



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ORDER: This Court made the following order :-

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The petitioner / Accused No.1, who was arrested and remanded into judicial custody on 18.01.2025 for the offences punishable under Sections 194(3)(iv) of BNSS altered into Section 103(1), 49 of BNS in Crime No.06 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased John stephen is the astrologer by profession. The 2nd accused approached the deceased for reunion with her husband. The deceased had received money from various occasions, but he did not return it to the main accused. Due to which, at the instigation of 2nd accused, this petitioner and other accused persons murdered the deceased. Hence, the case.

3. The learned counsel for the petitioner would submit that due to previous enmity, the defacto-complainant has lodged a false complaint against this petitioner. This petitioner was unnamed in the FIR and no allegations were levelled against this petitioner and no specific overtact was also attributed towards him. The petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. In this case, A2 arrested and subsequently released on bail. The petitioner is ready and willing to abide and conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 18.01.2025 nearly 140 days. Hence, he seeks bail.



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4. The learned Government Advocate (Criminal Side) would submit that the deceased person is Astrologer by profession. The second accused approached him and seek for reunion with her husband. The deceased had received money from the second accused in various occasions. But, he failed to repay the same. Due to which, at the instigation of second accused, the other accused persons were murdered the deceased. In this case, totally there are two accused, this petitioner was arrayed as Accused No.1. In this case, investigation was completed, charge sheet has also filed in PRC.No.39 of 2025 on the file of the Judicial Magistrate No.1, Nagercoil. The accused No.2 was arrested and enlarged on bail by the Principal District Judge, Kaniyakumari District. However, he strongly 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 has also filed in PRC.No.39 of 2025 on the file of the Judicial Magistrate No.1, Nagercoil, there is no previous case against the petitioner, already the second accused enlarged on bail, the petitioner/accused No.1 remanded into judicial custody on 18.01.2025, 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



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bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two
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sureties, each for a like sum to the satisfaction of Judicial Magistrate Court No.1,
Nagercoil 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 furnish his residential address and contact number to the Judicial Magistrate Court No.1, Nagercoil. If the petitioner changes his residential address, he shall report the same to the Judicial Magistrate Court No.1, Nagercoil;

[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



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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 JUDICIAL MAGISTRATE NO.1,
NAGERCOIL
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
KANNIYAKUMARI DISTRICT @ NAGERCOIL.
3. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
4. THE INSPECTOR OF POLICE,
ASARIPALLAM POLICE STATION,
NAGERCOIL.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.R.MUTHURAM, Advocate (SR-6362[I] dated 17/06/2025)



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ORDER

IN

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Date :16/06/2025

HPS/17.06.2025 /6P/7C

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