



CRL OP(MD). No.9879 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.06.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD). No.9879 of 2025

Linga Selvan,
S/o.Suyambudurai

...Petitioner / Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thisaiyanvilai Police Station,
Tirunelveli District.
(Crime No.308 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.B.N.Raja Mohamed,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS, 2023.

PRAYER :- For Bail in Crime No.308 of 2025 on the file of the respondent police.



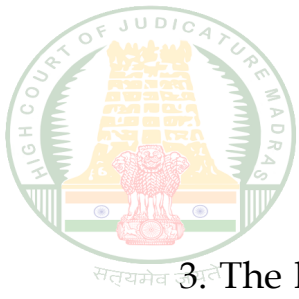
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ORDER : The Court made the following order :-

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The petitioner / accused, who was arrested and remanded to judicial custody on 25.04.2025 for the offences under Sections 103(1) and 238(a) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.308 of 2025 on the file of the respondent police, seeks bail.

2. The defacto complainant is the maternal uncle of the deceased infant child, aged about 2½ years. The father of the deceased child had left the house and had been living separately for the past eight months due to a dispute with his wife. At this juncture, the defacto complainant was informed by his sister that her child had fallen unconscious. She rushed the child to the hospital for treatment. The defacto complainant, along with his nephew (another sister's son) Rajan, went to the hospital, where the doctor declared the child dead. Upon enquiry with his sister, the defacto complainant came to know that the accused persons had allegedly kidnapped his sister and taken her to an isolated place. There, they mixed water with a soft drink and gave it to the child, allegedly with the intention of having physical intimacy with the defacto complainant's sister. Later, upon noticing injuries on the child's body, the accused reportedly handed the child back to her mother with threats. It is further alleged that the accused assaulted the child, resulting in her death. Hence, the petitioner/accused, along with the co-accused, is alleged to have committed the murder of the deceased child and concealed the offence. Hence, the case.



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3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted against the petitioner. He would further submit that the petitioner is in custody from 25.04.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that there are totally four accused persons in this case and the petitioner has been arrayed as A1. He would further submit that the accused persons caused grievous injuries to the victim child, resulting in the child's death. He, however, would submit that the investigation in this case is still pending and that, at this stage, if bail is granted to the petitioner, he will abscond and tamper with the evidence. He, therefore, opposes the grant of bail to the petitioner.

5. This Court has heard the learned counsel on both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, the nature of the offence allegedly committed by the petitioner, and the fact that investigation in this case is still pending, this Court is of the view that if the petitioner is released on bail, he may indulge in tampering with the witnesses and the investigation. Hence, this Court is not inclined to grant bail to the petitioner at this stage.



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

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12/06/2025

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/07/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL
TO
1 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI DISTRICT.

2 THE INSPECTOR OF POLICE,
THISAIYANVILAI POLICE STATION, TIRUNELVELI DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.9879 of 2025
Date :12/06/2025

SA/SAR. /01.07.2025/4P/4C

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