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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.06.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD). Nos.10516 and 10543 of 2025

Satheesh Kumar

... Petitioner
in CrIOP(MD) No.10516 of 2025

E.Mathan

... Petitioner
in CrIOP(MD) No.10543 of 2025

Vs

The State rep. by
The Inspector of Police,
Theni Police Station,
Theni District.
(Crime No.156 of 2025)

... Respondent
in both the petitions

For Petitioners : Mr.S.Subash Chandar,
Advocate
in CrIOP(MD)No.10516 of 2025
: Mr.C.Susikumar,
Advocate
in CrIOP(MD)No.10543 of 2025

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl. Side)
in both the petitions



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

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COMMON PRAYER :-

For Bail in Crime No.156 of 2025 on the file of the Respondent police.

COMMON ORDER : The Court made the following order :-

The petitioners / Accused Nos.14 and 3, who were arrested and remanded to judicial custody on 24.04.2025 and 28.04.2025 respectively for the offences punishable under Sections 191(2), 296(b), 115(2), 118(1), 127(2), 140(3) and 351(3) BNS, 2023 altered into Sections 191(2), 296(b), 115(2), 118(1), 127(2), 140(3), 61(2), 103 (1), 238 and 351(3) BNS, 2023 in Crime No.156 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 15.04.2025 afternoon, the petitioners along with other accused had abducted one Dhilip and Kaluva in a car and taken them to coconut grove where the accused persons indiscriminately attacked them by using pipe and other materials and thereby caused the death of the said Dhilip and injuries to the said Kaluva. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution and that the petitioners are no way connected with the case, a false case has been lodged as against them. The petitioners are ready and



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willing to abide any conditions that may be imposed by this Court. They would further submit that the petitioners are in custody nearly 65 days. Hence, they seek bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that there existed some dispute between the parties with regard to transaction of fake jewels, due to which, the accused had abducted the deceased and the injured in a car and murdered the deceased and the property was recovered by the respondent police and that investigation is pending. He would fairly concede that the petitioners are not having any previous cases and that except accused 2, 4, 5, 6, 7 and 17, all other accused are still in custody. Hence, he objected to grant bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the property has already been recovered and investigation might have been completed by this time and also the fact that the petitioners are not having any previous cases and that the petitioners remanded into judicial custody nearly 65 days, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on executing



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a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate, Theni 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 petitioners shall furnish their residential address and contact number to the Judicial Magistrate, Theni. If the petitioners change their residential address, they shall report the same to the Judicial Magistrate, Theni;

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

[d] the petitioners shall not abscond either during investigation or trial;

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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
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Section 269 BNS.

sd/-
30/06/2025

/ TRUE COPY /

30/06/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

csm
TO

- 1 THE JUDICIAL MAGISTRATE, THENI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
 - 3 THE OFFICER INCHARGE, DISTRICT PRISON, THENI.
 - 4 THE OFFICER INCHARGE, DISTRICT JAIL, THEKKAMPATTY, THENI.
 - 5 THE INSPECTOR OF POLICE, THENI POLICE STATION, THENI DISTRICT.
 - 6 THE ADDITIONAL PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.S.SUBASH CHANDAR, Advocate (SR-6912[I] dated 30/06/2025)

ORDER
IN
CRL OP(MD) No.10516 and 10543 of 2025
Date :30/06/2025

NBF/30.06.2025 5P/8C

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