



CRL OP(MD). No.10115 of 2025

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

Date : 27.06.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD). No.10115 of 2025

K.Marisamy

... Petitioner/
Accused No.1

Vs

State represented through
The Inspector of Police,
Koodakovil Police Station,
Madurai.

(Crime No.69 of 2025)

... Respondent/
Complainant

For Petitioner : Mr.V.P.Rajan,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.69 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 No.1, who was arrested and remanded to judicial custody on 19.05.2025 for the offences punishable under Sections 296(b), 109 and 351 (3) BNS, 2023 and Sections 25(1A) and 27(1) of Arms Act, 1959 in Crime No.69 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant and the accused persons are relatives, that due to previous enmity, in the morning of 18.05.2025, the accused had quarreled with the defacto complainant's brother Mani and the defacto complainant pacified them and that thereafter on the same day at about 10.30 a.m., the petitioner abused the said Mani in filthy language and fired his gun at him and since the said Mani had moved, one Kishore was shot in his left hand and the petitioner had also shot the defacto complainant in his stomach. Hence, the case.

3. The learned counsel appearing 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 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 19.05.2025 nearly 37 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) appearing for the



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respondent would submit that the petitioner had shot two persons by using his gun and the gun license expired in 2023 and the property was recovered by the respondent police. He would further submit that the injured persons were discharged from the hospital. This petitioner is having four previous cases but not similar in nature. Hence, 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 the injured were discharged from the hospital and that the petitioner remanded into judicial custody on 19.05.2025, 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 the Judicial Magistrate, Thirumangalam 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, Thirumangalam. If the petitioner changes his residential



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address, he shall report the same to the Judicial Magistrate, Thirumangalam;

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[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]; and

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

sd/-
27/06/2025

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



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CSM जयदे
TO
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1 THE JUDICIAL MAGISTRATE,
THIRUMANGALAM, MADURAI.

2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE SUPERINTENDENT,
DISTRICT JAIL,
VIRUDHUNAGAR DISTRICT.

4 THE INSPECTOR OF POLICE,
KODAKOVIL POLICE STATION,
MADURAI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.10115 of 2025

Date :27/06/2025

NM/27.06.2025 5P/6C

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