



CRL OP(MD). No.10231 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.10231 of 2025

Ayyappan,
S/o.Pandaram,
Tmc Colony,
Tirunelveli..

... Petitioner/ Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli.
Crime No.106/2025..

... Respondent/ Complainant

For Petitioner : Mr.P.Samuel Gunasingh,
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.106/2025 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody



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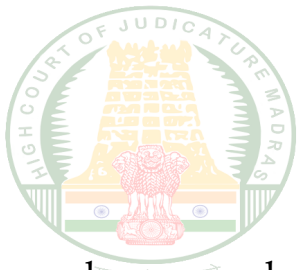
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on 30.04.2025 for the offences punishable under Sections 296(b), 118(1), 109 and 351 (3) BNS @ Sections 296(b), 118(1), 103 and 351(3) BNS in Crime No.106 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 01.04.2025, during a funeral function, the petitioner abused the defacto complainant in filthy language and attacked him with a brick, which caused him serious injury. The injured was admitted to the hospital and discharged on 13.04.2025 and however, he succumbed to the injuries and died on 16.04.2025. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He would further submit that initially the petitioner was arrested on 01.04.2025. Since the injured was discharged from the hospital on 13.04.2025, he was released on bail on 15.04.2025. Thereafter, the injured died on 16.04.2025 and hence, the petitioner was again arrested on 30.04.2024 and he is in custody from 30.04.2025 onwards. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that on 01.04.2025, during a funeral function, the petitioner abused the defacto complainant in filthy language and attacked him with a brick, which caused him serious injury. The injured was admitted to the hospital and discharged on 13.04.2025 and however,



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he succumbed to the injuries and died on 16.04.2025. He would further submit that the petitioner is not having previous case and the investigation in this case is pending, due to the awaited wound certificate. He objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and considering the period of incarceration and considering the fact that the petitioner is not having any previous case and major part of the investigation might have been completed, 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 Judicial Magistrate No.IV, Tirunelveli 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 No.IV, Tirunelveli. If the petitioner changes his residential address, he shall report the same to the Judicial Magistrate No.IV, Tirunelveli;



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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].

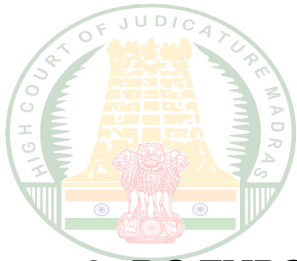
[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

sd/-
19/06/2025

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19/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO
1 THE JUDICIAL MAGISTRATE NO.IV,
TIRUNELVELI.



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2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
TIRUNELVELI JUNCTION POLICE STATION,
TIRUNELVELI.

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

ORDER
IN

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Date :19/06/2025

SA/SAR. /19.06.2025/5P/6C

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