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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10481 of 2025

Reshiman,
S/o.Rethinasamy, ..Petitioner/ Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Palavoor Police Station,
Tirunelveli District.
(Crime No.184 of 2025) .. Respondent/Complainant

For Petitioner : Mr.P.Suresh
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.184 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 27.04.2025 for the offences punishable under Sections 296(b), 118(1), 109(1) and

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351(3) of BNS, 2023 altered into 296(b), 103(1) and 351(3) of BNS, 2023 in Crime No.184 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to money dispute between the deceased and the petitioner/accused, on 27.04.2025, the petitioner herein indiscriminately attacked the deceased with Aruval and thereby he sustained severe injuries on his vital parts of the body and due to that the deceased was died. 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. The petitioner is a college student. 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 27.04.2025 nearly 62 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that due to money dispute between the deceased and the petitioner/accused, on 27.04.2025, the petitioner herein indiscriminately attacked the deceased with Aruval and thereby he sustained injuries on his vital parts of the body and due to that the deceased was died. There is no previous case against this petitioner. Hence, he strongly objected to grant bail to the petitioner.

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5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that there is no previous case against the petitioner, the petitioner/accused remanded into judicial custody on 27.04.2025, 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 Judicial Magistrate Court, Valliyoor 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, Valliyoor. If the petitioner changes his residential address, he shall report the same to the Judicial Magistrate Court, Valliyoor;

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

[d] the petitioner shall not abscond either during investigation or trial.

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[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/-
26/06/2025

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

gvn

TO

1 THE JUDICIAL MAGISTRATE,
VALLIYOOR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT.

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3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4. The Inspector of Police,
Palavoor Police Station,
Tirunelveli District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.10481 of 2025
Date :26/06/2025

MK/27.06.2025 5P/6C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023

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