



CRL OP(MD). No.10405 of 2025

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

Date : 23/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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Bharath @ Muthubharath,
S/o. Kasivel,
138c, Alankinaru,
Sathankulam,
Thoothukudi District. ... Petitioner/ Accused

Vs.

State of Tamilnadu Rep by
Inspector of Police, Sathankulam,
Sattankulam Police Station,
Thoothukkudi District.
Crime No. 64/2025. ... Respondent/Complainant

For Petitioner : M/s.K.Sasti Kumaran,
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. 64 of 2025 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

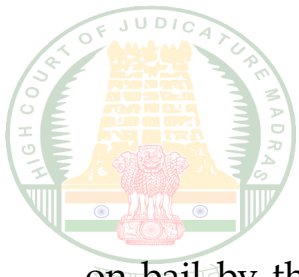
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The petitioner/ Accused, who was arrested and remanded to judicial custody on 08.04.2025 for the offences under sections 296(b), 115(2), 351(2), 105 of BNS, 2023 @ Sections 296(b), 115(2), 103(1), 351(2) of BNS, 2023 and Section 4 of TNPHW Act, in Crime No.64 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to property dispute, the petitioner and other accused have abused the defacto complainant's husband in filthy language and also attacked him with wooden log and he was admitted in the hospital and later on, he was died in the hospital. 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 offence as alleged by the prosecution. He further submits that A1 in this case has already been released on bail by this Court in CrI.O.P.(MD)No.9248 of 2025 dated 04.06.2025. Hence, he seeks bail.

4. The learned Government Advocate (Crl. side) appearing for the respondent would submit that due to property dispute, the petitioner and other accused have abused the defacto complainant's husband in filthy language and also attacked him with wooden log and he was admitted in the hospital and later on, he was died in the hospital. He would further submit that A1 in this case has already been released



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on bail by this Court. He would also submit that the investigation of the case is pending and hence, he opposed to grant bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the fact that the co-accused-A1 has already been released on bail by this Court and that the petitioner is in judicial custody from 08.04.2025 and also taking into consideration of the fact that by this time, most of the investigation might have been completed, this court is inclined to grant bail to the petitioners, subject to the certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Sathankulam 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 report before the respondent police daily at 10.30 am until further orders;

[c] the petitioner shall submit his residential address and contact number to the learned Judicial Magistrate, Sathankulam. If he changes the residence, he shall



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inform the same to the concerned Magistrate without fail.

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[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 of BNS, 2023.

sd/-
23/06/2025

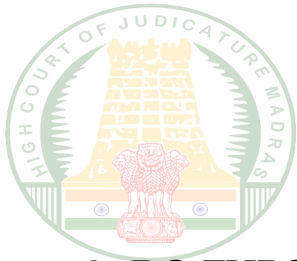
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23 /06/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

1 JUDICIAL MAGISTRATE
SATHANKULAM



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.

4 THE INS PECTOR OF POLICE,
SATHANKULAM,
SATTANKULAM POLICE STATION,
THOOTHUKKUDI DISTRICT.

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

ORDER
IN

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Date :23/06/2025

NM/23.06.2025 5P/6C

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