



CRL OP(MD).No.10854 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10854 of 2025

Moorthy (27/2025)
S/o.Kalimuthu,

.. Petitioner/ Accused No.4

Vs

State represented by,
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
(in Crime No.257 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.S.Manikandan

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER : For Bail in Crime No.257 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis> The petitioner/ Accused No.4, who was arrested and remanded to judicial



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custody on 01.05.2025 for the offences punishable under Sections 296(b), 103, 351(3) of BNS Act 2023 and 4 of TNPWH Act @ 296(b), 103, 351(3), 49 of BNS Act 2023 and 4 of TNPWH Act, in Crime No.257 of 2025 on the file of the respondent police, seeks bail,

2. The case of the prosecution is that on 17.04.2025, the first accused along with other accused persons have entered into house of one Latha, who is the relative of the defacto complainant and threatened her. Further, there was a previous enmity between the first accused and the defacto complainant's son, as a result of which, on 27.04.2025, the petitioner along with other accused persons have abused the son of the defacto complainant in filthy language and attacked the son of the defacto complainant due to which, he sustained injuries and taken to the Government hospital and thereafter he died. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner's name was not found in the FIR and based on the confession of co-accused, the petitioner was falsely implicated in this case.. He further submitted that the petitioner is in judicial custody from 01.05.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) submitted that there is



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one previous case pending against the petitioner and the petitioner has supplied the entire weapons to A1 to A3. He further submitted that A1 and A2 detained under Goondas Act. He further submitted that the investigation has been completed. However, he objected to grant bail to the petitioner.

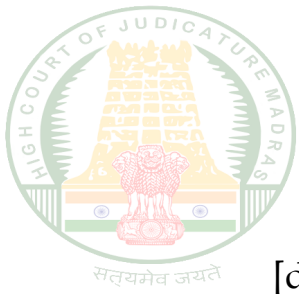
5. Considering the facts and circumstances of the case and also the fact that the investigation has been completed and also considering the period of incarceration suffered by the petitioner, this court is inclined to grant bail to the petitioner, subject to the following conditions:

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, Additional Court, Sivagangai District 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 mobile number to the learned Judicial Magistrate, Additional Court, Sivagangai District.

(c) If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate, Additional Court, Sivagangai District.



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[d] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

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

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] 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].

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

sd/-
30/06/2025

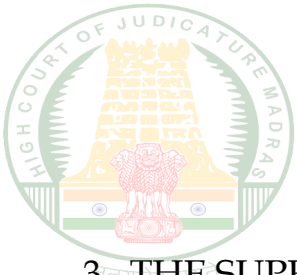
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01/07/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

msrm
TO

1 THE JUDICIAL MAGISTRATE,
ADDITIONAL COURT, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI
DISTRICT.



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3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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4 THE INSPECTOR OF POLICE, SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.10854 of 2025
Date :30/06/2025

NBF/01.07.2025 5P/6C

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