



CRL OP(MD). No.11008 of 2025

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

Date : 30.06.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

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1.Marimuthu

2.Chinna Thambi

... Petitioners/
Accused 3&4

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Pudukottai Police Station,
Thoothukudi.
(Crime No.48 of 2024)

... Respondent/
Complainant

For Petitioners : Mr.P.Samuel Gunasingh,
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 S.C.No.287 of 2024 on the file of the II Additional District and Sessions
Court, Thoothukudi, in connection with Crime No.48 of 2024 on the file of the

<https://www.mhc.tn.gov.in/judis>



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respondent police.

ORDER : The Court made the following order :-

The petitioners / Accused Nos.3 & 4, who are facing a case for the offences punishable under Sections 147, 148, 341, 302, 506(2), 404, 109, 120B and 34 IPC, in S.C.No.287 of 2024 on the file of the II Additional District and Sessions Court, Thoothukudi, in Crime No.48 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners along with other accused had assembled unlawfully with deadly weapons and wrongfully restrained the two wheeler driven by the defacto complainant, wherein the deceased Vadivel Murugan was travelling as a pillion rider by dashing the two wheeler and as a result of which, the defacto complainant and the deceased fell down and the accused had attacked them with deadly weapons and murdered the deceased and also caused criminal intimidation to the defacto complainant. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that after completion of investigation, the respondent police has filed a charge sheet and after committal, the case was taken on file in S.C.No.287 of 2024 and is pending on the file of the II Additional District and Sessions Court, Thoothukudi. He would further submit that the petitioners' name does not find place in the FIR and that only on the basis of the confession said to have taken from the co-accused, they were implicated



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and that the petitioners were detained under the Goondas Act and the same was
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revoked by this Court in H.C.P.(MD)Nos.893 and 897 of 2024.

4. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution and that the petitioners are no way connected with the case, a false case has been lodged as against the petitioners. He would further submit that the accused 5 to 10 were already released on bail by the lower Court and that the petitioners are ready and willing to abide any conditions that may be imposed by this Court. He would further submit that the petitioners are in custody from 28.02.2024 nearly 16 months. Hence, he seeks bail.

5. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that it is a case of retaliation of murder. He would further submit that the first petitioner had five previous cases, out of which, one case is similar in nature and the second petitioner had nine previous cases, out of which, one case is similar in nature and that the accused 1 and 2 are still in custody. Hence, he objected to grant bail to the petitioners.

6. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the accused 5 to 10 were already released on bail and that the petitioners remanded into judicial custody on 28.02.2024, taking into



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consideration of the period of incarceration, this court is inclined to grant bail to the
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petitioners, subject to the following conditions:

7. Accordingly, the petitioners are ordered to be released on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate No.III, Thoothukudi 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 petitioners shall furnish their residential address and contact number to the Judicial Magistrate No.III, Thoothukudi. If the petitioners change their residential address, they shall report the same to the Judicial Magistrate No.III, Thoothukudi;

[c] the petitioners shall stay at Trichy and appear and sign before the Inspector of Police, Trichy Cantonment Police Station, Trichy District daily two times at 10.00 a.m. and 05.00 p.m., except on hearing dates, until further orders; and on hearing dates the petitioners shall appear before the trial Court;

[d] the petitioners shall not abscond either during investigation or trial;

[e] the petitioners shall not tamper with evidence or witness either during



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investigation or trial;

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[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
30/06/2025

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30/06/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

csm
TO

- 1 THE II ADDITIONAL DISTRICT AND SESSIONS JUDGE, THOOTHUKUDI.
- 2 THE JUDICIAL MAGISTRATE NO.III, THOOTHUKUDI.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
- 4 THE SUPERINTENDENT, CENTRAL PRISON, CUDDALORE.
- 5 THE INSPECTOR OF POLICE, PUDUKKOTTAI POLICE STATION, THOOTHUKUDI DISTRICT.



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6 THE INSPECTOR OF POLICE, TRICHY CANTONMENT POLICE STATION,
TRICHY DISTRICT.

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

ORDER
IN
CRL OP(MD) No.11008 of 2025
Date :30/06/2025

NBF/30.06.2025 6P/8C

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