



CRL OP(MD).No.11166 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.11166 of 2025

Arunkumar,
S/o.Esakkimuthu,

..Petitioner/ Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.
(Crime No.315 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.K.Suyambulingabharathi
Advocate.

For Respondent : Mr.M.Karunanithi
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.315 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 07.05.2025 for the offences punishable under Sections 296(b), 103(1), 351(3) of

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



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BNS 2023 @ Section 296(b), 351(3), 61(2), 103(2) of BNS 2023 in Crime No.315 of 2025

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on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to one murder of Patturaj by the deceased brother and in order to take revenge, on 16.04.2025 at about 4.00p.m. while the deceased and his wife in the fair price shop, the accused persons attacked the deceased with Aruval and brutally attacked the deceased and cut the neck of the deceased. He died on spot. Hence, the case.

3. The learned counsel for the petitioner would submit that totally eight accused persons were involved in this case, this petitioner was arrayed as sixth accused. Based on the confession statement of the co-accused, this petitioner was arrayed as one of the accused in the present case. Already, seventh accused was enlarged on bail by this Court in Crl.O.P.(MD).No.10840 of 2025 dated 30.06.2025. The petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. The petitioner is ready and willing to abide any conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 07.05.2025 nearly 57 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that this is the case of retaliation murder, earlier one Patturaja murdered by the deceased brother. In order to take revenge, the accused persons brutally attacked the



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deceased with lethal weapon, in which he died on spot. In this case, there are totally eighth accused persons, 7th accused enlarged on bail by this court, A1 to A4 were detained under the Goondas Act and the eight accused is still absconding. There is no previous case against this petitioner. Hence, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that in this case, already co-accused released on bail, there is no previous case against the petitioner, the petitioner/accused No.6 is in judicial custody from 07.05.2025, 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 learned Judicial Magistrate, Tenkasi 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 learned Judicial Magistrate, Tenkasi. If the petitioner changes his residential



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address, he shall report the same to the learned Judicial Magistrate, Tenkasi;

[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/-
03/07/2025

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/07/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gvn
TO

1 THE JUDICIAL MAGISTRATE,
TENKASI.



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2 THE CHIEF JUDICIAL MAGISTRATE
TENKASI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI
DISTRICT.

4. The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.

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

ORDER
IN

CRL OP(MD) No.11166 of 2025
Date :03/07/2025

MK/03.07.2025 5P/6C

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