



CRL OP(MD)No.11139 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/07/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD)No.11139 of 2025

1.Aravinth
S/o.Kumaresan

2.Manikandan
S/o.Suntharam

3.Yuvaraj
S/o.Manimaran

... Petitioners/
Accused Rank Unknown

Vs.

The State of Tamil Nadu rep.by,
The Inspector of Police,
Madagupatti Police Station,
Sivagangai District
(In Crime No.156 of 2025)

...Respondent/Complainant

For Petitioners : Mr.T.Lajapathi Roy
Senior Counsel
for M/s.Roy and Roy Associates

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

Petition filed under Section 483 BNSS



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PRAYER :- For Bail in Crime No.156 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners seek bail for the alleged offences U/s.191(2), 191(3), 103(2) of BNS 2023 altered as 191(2), 191(3) and 103(2) of BNS, 2023 in Crime No.156 of 2025 on the file of the respondent police.

2. The case of the prosecution is that the accused said to have beaten up the deceased indiscriminately with wooden logs and hands, as if the deceased came to the occurrence spot to steal goats and that the deceased were died on the way to hospital.

3. The learned counsel for the petitioners has submitted that in the FIR, there are 6 named accused and others. The alleged occurrence took place between 2.00 a.m. and 7.00 a.m. on 03.06.2025. Accused No.1 is having a cattle shed, and as Accused No.1 was hearing the noise of cattle, he noticed that his goats were tied up by the deceased at the guidance of unidentified persons. So, the deceased were attacked by Accused No.1 and other villagers. The petitioners were falsely implicated in this case based on the alleged confession statement of the named accused. There are no overt



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acts for committing murder or such intention over the petitioners. The petitioners are in custody for more than 30 days from 04.06.2025. The petitioners are ready to abide any condition imposed by this Court. Hence, the petitioners may be granted bail.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the deceased are brothers, they went to the occurrence village from their uncle's house. On seeing them, Accused Nos.1 to 6 shouted that the deceased attempted to steal goats, and Accused Nos.1 to 6 along with other villagers attacked the deceased with wooden logs and hands indiscriminately and caused multiple injuries. The deceased died on the way to the hospital due to injuries. The petitioners along with Accused Nos.1 to 6 attacked the deceased. The investigation is pending and in case the petitioners are granted bail, they would tamper the evidences. Therefore, the petition may be dismissed.

5. Heard and perused available records. It is seen from the records that the deceased were brothers who were allegedly to have indiscriminately beaten up by the accused with wooden logs and their hands. The FIR was registered against 6 named accused and others. There is no motive alleged between the petitioners and the deceased. The Hon'ble Supreme Court held that the basic ingredient of Section



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304 of IPC (now Sec 105 BNS) is the presence of knowledge and absence of intention and that the doer must have the knowledge that the act performed by the doer would likely cause death, but there should not be any intention to cause death. The respondent police have not alleged that the petitioners were present at the time of the occurrence and they also attacked the deceased with the intention to cause death. There is no previous case reported against the petitioners. The petitioners are in custody for more than 30 days. Therefore, considering the above circumstances and also considering the age and incarceration period of the petitioners, this Court is inclined to grant bail with conditions.

6. Accordingly, the petitioners are ordered to be released on bail on executing separate 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 Principal Sessions 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 Judicial Magistrate concerned may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity; and

[b] The petitioners shall furnish their residential address and mobile number to the Principal Sessions Court, Sivagangai District. If the petitioners changes their



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residential address, they shall report the same to the Principal Sessions Court,
Sivagangai District;

[c] On release, the petitioners shall appear before the respondent police daily twice at 10.00 a.m and 5.00 p.m. until further orders.

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

[e] the petitioners 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 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]**.

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

sd/-
08/07/2025

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

VSD



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1 THE PRINCIPAL SESSIONS JUDGE,
SIVAGANGAI DISTRICT.

2 THE INSPECTOR OF POLICE,
MADAGUPATTI POLICE STATION,
SIVAGANGAI DISTRICT

3 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.

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

+1 CC to M/s.M/S.ROY AND ROY ASSOCIATES, Advocate (SR-7252[I] dated
08/07/2025)

ORDER
IN
CRL OP(MD) No.11139 of 2025
Date :08/07/2025

SS/SAR- /09/07/2025/ 6P/6C

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