



CRL OP(MD).No.11260 of 2025

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

Date : 04/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.11260 of 2025

Aravind,
S/o.Rajendran,

..Petitioner/ Accused No.3

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Vallam Police Station,
Thanjavur District.
(Crime No.200 of 2024)

.. Respondent/Complainant

For Petitioner : Mr.A.Joel Paul Antony
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.200 of 2024 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 29.04.2024 for the offences punishable under Sections 147, 148, 120(b), 109, 341,



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427, 294(b), 307 and 302 of IPC in Crime No.200 of 2024 on the file of the respondent

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police, seeks bail.

2. The case of the prosecution is that the defacto-complainant and the deceased were running fruit stall in Needamangalam. There was dispute between the defacto-complainant and the first accused regarding fruit selling business. On 28.04.2024 at about 11.15hrs the deceased Appu @ Hariharan and others were proceeding near Vallam Bypass Road in TATA ACE bearing registration No. TN 50 T 1013 for purchasing fruits for his fruit stall from Gandhi Market in Trichy, at that time, the accused persons intercepted the TATA ACE vehicle and the accused persons attacked the victim Appu @ Hariharan on his head, face and neck with sword. Later, the said Appu @ Hariharan was died. Hence, the case.

3. The learned counsel for the petitioner would submit that this 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 29.04.2024 nearly 420 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that there was dispute between the defacto-complainant and the accused persons regarding fruit selling business. On 28.04.2024, the accused persons intercepted the defacto-



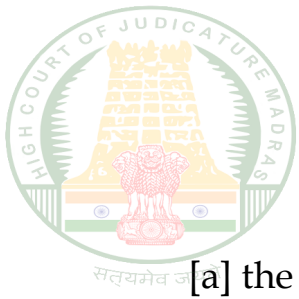
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complainant's TATA ACE vehicle and attacked one Appu @ Hariharan on his head, face and neck with sword. The said Appu @ Hariharan died on the spot. In this case, A4 to A9 were enlarged on bail. The first accused absconding. Moreover, the sixth accused is not appear before the Trial court, the trial Court has issued Non Bailable Warrant to him. In this case, investigation completed and the charge sheet has also filed and the same was taken on file in S.C.No.312 of 2024 on the file of Principal District Judge, Thanjavur. There are six previous cases pending against the petitioner. Out of the six cases, three cases were disposed of and remaining three cases are pending. 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, investigation completed, charge sheet also filed and the same was taken on file in S.C.No.312 of 2024 on the file of the Principal District Judge, Thanjavur, the petitioner/accused No.3 is in judicial custody from 29.04.2024, 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 No.II, Thanjavur and on further conditions that :-



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[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 No.II, Thanjavur. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.II, Thanjavur;

[c] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m., until further orders except on hearing dates; and he shall appear before the trial Court on hearing dates.

[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/-
04/07/2025

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



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TO

1. The Judicial Magistrate No.II,
Thanjavur
- 2 THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
4. The Inspector of Police,
Vallam Police Station,
Thanjavur District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.11260 of 2025
Date :04/07/2025

MK/04.07.2025 5P/6C

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