



CRL OP(MD).No.11413 of 2025

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

Reserved on : 07.07.2025

Pronounced :17.07.2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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1. Subash, M/18
S/o.Nagaraj,

2. Nivash, M/20,
S/o.Nagaraj

..Petitioners/ Accused Nos.1 & 2.

Vs

State of Tamil Nadu
Rep by the Inspector of Police,
Checkanurani Police Station,
Madurai District.
(Crime No.130 of 2025)

.. Respondent/Complainant

For Petitioners : Mr.Anandha Padmanabhan,Senior counsel
For M/s.APN Law Associates

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



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PETITION FOR BAIL Under Sec.483 of BNSS

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PRAYER :- For Bail in Crime No.130 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioners / Accused Nos.1 & 2, who were arrested and remanded to judicial custody on 11.06.2025 for the offences punishable under Sections 105, 238 of BNS, 2023, in Crime No.130 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 30.04.2025 at about 06.30 p.m., deceased Sriman had left his house stating that he is going to attend a Kabadi match in Moondadipatti and he did not return. Further, the deceased's body was found floating in a well belonging to Rasu Thevar that is situated at Moonandipatti in Usilampatti Taluk on 02.05.2025. Further, as a death was found to be suspicious FIR was registered under Section 194 of BNSS Act 2023. Hence, the complaint.

3. The learned senior counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. The petitioners are the brothers, who are aged about 18



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and 20 years respectively. The deceased Sriman was having an affair with their cousin brother's wife and on 30.04.2025, they were together and even in the presence of the accused, the deceased had sent message to the lady over mobile phone and they warned him. After that incident as they were close friends, they went to consume alcohol in the place of occurrence and after consuming alcohol the deceased slipped and about to touch the live Electric wire leading to the main switchboard. At that time, the 1st accused saved him by pulling his hand unfortunately, the deceased had fallen in the well.

4. The learned senior counsel for the petitioners would further submit that the 2nd petitioner is not present at that time of scene of occurrence and he along with A3 left the place of occurrence. He would further submit that the 1st petitioner had given a confession to the VAO and thereafter, the respondent police have registered a case against the petitioners. He would further submit that the petitioners are in custody from 11.06.2025. Hence, he seek bail.

5. The learned Government Advocate (Criminal Side) would submit that the defacto complainant is the father of the deceased Sriman. On 30.04.2025 at about 06.30 p.m., the deceased left the house in order to watch Kabadi match at



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Moonandipatti. But he has not returned home even after two days. On 02.05.2025 at about 02.00 p.m., the defacto complainant was informed that the dead body of his son was floating in the well of Rasuthevar Moonandipatti. He would further submit that A1 has surrendered before the Village Administrative Officer and given a confession stating that deceased Sriman was having an affair with their cousin brother's wife and on 30.04.2025, they were together and even in the presence of the accused, the deceased had sent message to the lady over mobile phone and they warned him. After that incident as they were close friends, they went to consume alcohol in the place of occurrence and after consuming alcohol the deceased slipped and about to touch the live Electric wire leading to the main switchboard. At that time, the 1st accused saved him by pulling his hand unfortunately, the deceased had fallen in the well. He would further submit that there is no previous case pending against the petitioners. He would further submit that the investigation is almost completed. However, he opposed for grant of bail to the petitioners.

6. Taking into consideration of the facts and circumstances of the case and also the fact that there is no previous case pending against the petitioners and the investigation has been almost completed and taking into consideration of the period of incarceration suffered by the petitioners, this Court is inclined to grant bail to the



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petitioners, subject to the following conditions:

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7. Accordingly, the petitioners are ordered to be released on bail on executing separate 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 learned Judicial Magistrate-II, Usilampatti, 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 mobile number to the learned Judicial Magistrate-II, Usilampatti.

(c)If the petitioner changes their residential address, they shall report the same to the learned Judicial Magistrate-II, Usilampatti.

[d] the petitioners shall report before the respondent police daily at 10.00 a.m.,and 05.00 p.m., until further orders.

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

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



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[g] 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].

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

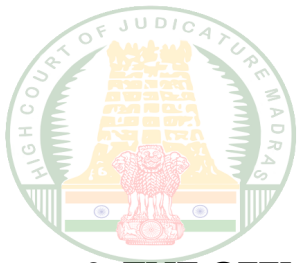
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17/07/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

MSRM
TO

1. THE LEARNED JUDICIAL MAGISTRATE-II, USILAMPATTI.
2. THE CHIEF JUDICIAL MAGISTRATE, MADURAI.



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3. THE OFFICER INCHARGE, DISTRICT PRISON,
THENI.

4. THE INSPECTOR OF POLICE,
CHECKANURANI POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.APN LAW ASSOCIATES, Advocate (SR-7736[I] dated 17/07/2025)

ORDER

IN

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Date :17/07/2025

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