



CRL OP(MD). No.11613 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.11613 of 2025

Dhinesh Kumar,
S/o.Sakthivel,

..Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep.by The Inspector of Police,
Eriodu Police Station,
Dindigul District.
(Crime No.138 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.S.Arunnithy,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.138 of 2025 on the file of the Respondent Police.

ORDER: This Court made the following order :-



CRL OP(MD). No.11613 of 2025

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The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 22.05.2025 for the offences punishable under Sections 103(1), 115(2), 118(1) and 54 of BNS in Crime No.138 of 2025 on the file of the respondent police, seeks bail.

2. It is not in dispute that the A1 and A2 are cousin brothers. The deceased and the first accused are relatives.

3.The case of the prosecution is that due to previous enmity, on 21.05.2025 at about 05.30 p.m., the second accused called the first accused through phone and the first accused went to the occurrence place along with knife and attacked the deceased on his head, chest, neck and right side stomach, when the same was prevented by one Pandian, the first accused attacked him on his left side stomach and thereby caused injuries. The said Pandian called the deceased's wife through phone stating that her husband and A1 were scuffled with each other at Chettikulam. The defacto complainant went to the occurrence place, at that time her husband was dead in the blood pool. Hence, the case.

4. The learned counsel for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. There is no motive between the present petitioner/A2 and the deceased. On the date of occurrence, the deceased's relation conducted family function and there is some wordy altercation between the first accused and the deceased. Due to which, the first



CRL OP(MD). No.11613 of 2025

WEB COPY

accused attacked the deceased with knife. The petitioner has no role on the scene of occurrence. He would further submit that the petitioner is not having any previous case and he is in custody from 22.05.2025, nearly 57 days. Hence, he seeks bail.

5. The learned Government Advocate (Criminal Side) would submit that the deceased and the first accused are relatives. Due to previous enmity, on 21.05.2025 at about 05.30 p.m., the second accused called the first accused through phone and the first accused went to the occurrence place along with knife and attacked the deceased on his head, chest, neck and right side stomach, when the same was prevented by one Pandian, the first accused attacked him on his left side stomach and thereby caused injuries. The deceased sustained severe injury all over his body and subsequently, died. He would further submit that the petitioner's earlier bail application in CrI.M.P. No.1291 of 2025 was dismissed by the learned Principal Sessions Judge, Dindigul and the first accused is still in custody. However, he objected to grant bail to the petitioner.

6. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the date of occurrence on 21.05.2025, by this time most of the investigation might have been completed and the petitioner is not having any bad antecedents and also considering the overtact contributed against the petitioner and also the fact that the petitioner is aged about 19 years and he is in judicial custody



CRL OP(MD). No.11613 of 2025

from 22.05.2025, taking into consideration of the period of incarceration, this court is
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inclined to grant bail to the petitioner, subject to the following conditions:

7. 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 Additional District Munsif cum Judicial Magistrate, Vendasandur 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 Additional District Munsif cum Judicial Magistrate, Vendasandur. If the petitioner changes his residential address, he shall report the same to the learned Additional District Munsif cum Judicial Magistrate, Vendasandur;

[c] the petitioner shall appear and sign before the respondent police daily twice i.e., at 10.00 a.m., and 05.00 pm., 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



CRL OP(MD). No.11613 of 2025

Court is entitled to take appropriate action against the petitioner in accordance with
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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/-
18/07/2025

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

das

To

1 THE ADDITIONAL DISTRICT
MUNSIFF CUM JUDICIAL MAGISTRATE,
VEDASANDUR.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, DINDIGUL.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, DINDIGUL DISTRICT



CRL OP(MD). No.11613 of 2025

4 THE INSPECTOR OF POLICE,
ERIODU POLICE STATION,
DINDIGUL DISTRICT.

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

+1 CC to M/s.S.ARUNNITHY, Advocate (SR-7775[I] dated 18/07/2025)

ORDER
IN
CRL OP(MD) No.11613 of 2025
Date :18/07/2025

AS/21.07.2025/6P/7C

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