



CRL OP(MD).No.11543 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.11543 of 2025

B.Arun Baskar,
S/o.Balakrishnan,

...Petitioner/ Accused No.1

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Pavoorchatram Police Station,
Tenkasi District.
(Crime No.281 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.R.Ilayaraja
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.281 of 2024 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 13.08.2024 for the offences punishable under Sections 126(2), 296(b) and 103(1) of BNS, 2023 in Crime No.281 of 2024 on the file of the respondent police,

seeks bail

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



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2. The case of the prosecution is that the complainant and her husband Kadalmani alias Kadarkarai was arrested 4 years back in connection with the murder case and therefore there was no cordial relationship between her and Kadarkarai and hence he residing separately. Her son namely Parthiban aged about 25 years was employed as a lorry cleaner and he was unmarried. There was long standing enmity between the family of the defacto complainant and the family of one Balakrishnan, who is the defacto complainant's husband's brother. Due to that previous enmity, on 21.07.2024, at about 11.30am., the son of defacto complainant was attacked by Balakrishnan and his son Arun Baskar and based on the complaint given by the Parthiban they got arrested and the son of the defacto complainant also arrested on the complaint given by the Balakrishnan. The son of the defacto complainant developed love affair with Alagumuthuselvam, daughter of one Amalraj, a resident of the same village. The said relationship was opposed by Alagumuthuselvam's elder brother, Muthukumar, and further they abused each other through Whatsapp chat. The present allegation is that on 12.08.2024, about 10.30 PM, the son of the defacto complainant gone outside to attend his nature call, at that time, one Arun Baskar and his friend Muthukumar arrived on a motorcycle from the southern direction, armed with sickles. On seeing Parthiban, they chased him, when the Parthiban attempted to escape by running into a nearby vacant plot, but they



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intercepted and assaulted him brutally. Arun Bhaskar is alleged to have attacked the deceased on the neck, back of the head, and mouth with a sickle, also inflicted multiple cut injuries on the deceased's right arm, left palm, and left thigh, and the assailants fled away from the scene immediately. Hence, the case.

3. The learned counsel for the petitioner would submit that 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 13.08.2024 nearly 11 months. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit this petitioner and other accused were joined together and murdered the defacto-complainant's son. In this case, investigation was completed, charge sheet also filed and the same was taken on file in S.C.No.513 of 2024 on the file of the Additional district and Sessions Judge (Fast Track court), Tenkasi District. Charges have already been framed and the said case is posted for the examination of witnesses. Already, the petitioner was detained under TamilNadu Act 14 of 1982 and later it was set aside by this Hon'ble Court in HCP(MD).No.135 of 2025 dated 24.06.2025. This petitioner is having three previous cases. Hence, he objected to grant bail to the petitioner.



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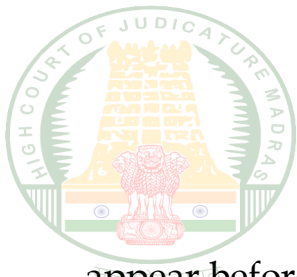
5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that in this case, investigation was completed, charge sheet has also been filed and the same was taken on file in S.C.No.513 of 2024 on the file of the Additional District and Sessions Judge, (Fast Track court), Tenkasi District, now the trial was also commenced, the petitioner/accused No.1 is in judicial custody from 13.08.2024, 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, Tenkasi, Tenkasi District 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, Tenkasi District. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate, Tenkasi, Tenkasi District;

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



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appear before the concerned trial Court on hearing dates without fail;

[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/-
09/07/2025

/ TRUE COPY /

09/07/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

gvn
TO

1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE, (FAST TRACK COURT), TENKASI.

2 THE JUDICIAL MAGISTRATE, TENKASI, TENKASI DISTRICT.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TENKASI DISTRICT.

4 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.



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5 THE INSPECTOR OF POLICE, PAVOORCHATRAM POLICE STATION,
TENKASI DISTRICT.

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

+1 CC to M/s.R.ILAYARAJA, Advocate (SR-7307[I] dated 09/07/2025)

ORDER
IN

CRL OP(MD) No.11543 of 2025
Date :09/07/2025

NBF/09.07.2025 6P/8C

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