



CRL OP(MD).No.11700 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

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1.Athmanathan,
S/o.Chinniah

2.Lakshmi,
W/o.Athmanathan ,

.Petitioners/ A4 & A5

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.
(Crime No.261 of 2025)

.. Respondent/ Complainant

For Petitioners : Mr.M.Yesudasan,
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.261 of 2025 on the file of the Respondent Police.



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ORDER: This Court made the following order :-

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The petitioners / A4, & A5 who were arrested and remanded to judicial custody on 18.06.2025 for the offences punishable under Sections 191(2), 296(b), 115(2), 118(1), 351(3) and 105 of BNS, in Crime No.261 of 2025 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioners are parents and the defacto complainant is the husband of the first accused. A2 is the brother and A3 is the close relative of the first accused. Due to matrimonial dispute between the first accused and the defacto complainant, the petitioners along with other accused went to the defacto complainant's home and abused the defacto complainant and his family members and also attacked them. In that incident, the defacto complainant's father died. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution, the deceased was died due to heart attack. He would further submit that the petitioners are ready and willing to abide any conditions that may be imposed by this Court. He would further submit that the petitioners are in custody from 18.06.2025 nearly 30 days. Hence, they seek bail.



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4. The learned Government Advocate (Criminal Side) would submit that there existed matrimonial dispute between the parties. Due to which, the petitioners along with other accused went to the defacto complainant's home and abused them in filthy language. The first accused attacked the defacto complainant with wooden log and the Accused 2 and 3 were also attacked the defacto complainant with iron crowbar, when the same was prevented by the defacto complainant's father, the accused persons attacked him and pushed him down on the ground. Due to which, he fell down unconsciously and subsequently, died. He would further submit that the petitioners are not having any previous case and the investigation is in progress. However, he objected to grant bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the allegations levelled against the petitioners and taking note of the limited overtact against them and the occurrence had taken place on 17.06.2025, most of the investigation might have been completed and considering the fact that the petitioners/Accused are in judicial custody from 18.06.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioners, subject to the following conditions:



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6. Accordingly, the petitioners are ordered to be released on bail on executing a 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 learned Judicial Magistrate, Aranthangi, Pudukkottai 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 his residential address and contact number to the learned Judicial Magistrate, Aranthangi, Pudukkottai. If the petitioners change their residential address, they shall report the same to the learned Judicial Magistrate, Aranthangi, Pudukkottai;

[c] the petitioners shall appear and sign before the respondent police daily i.e., 10.00 a.m., until further orders.

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



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[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 themselves 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.

7. Accordingly, this Criminal Original Petition is allowed.

sd/-
18/07/2025

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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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das
TO

1 THE JUDICIAL MAGISTRATE
ARANTHANGI, PUDUKKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI.

3 THE OFFICER INCHARGE,
SUB JAIL, PUDUKKOTTAI.

4 THE INSPECTOR OF POLICE,
ARANTHANGI POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.11700 of 2025
Date :18/07/2025

AS/21.07.2025/6P/6C

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