



CRL OP(MD).No.11773 of 2025

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

Date : 11/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.11773 of 2025

Muthaiya,
S/o.Karuppaiya,

..Petitioner/ 2nd Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Ettayapuram Police Station,
Thoothukudi District.
(Crime No.67 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.K.K.Samy
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.67 of 2025 on the file of the Respondent Police.



CRL OP(MD).No.11773 of 2025

WEB COPY

ORDER: This Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 23.03.2025 for the offences punishable under Sections 329(4), 103(1) of BNS in Crime No.67 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the first accused had love affair with victim girl and he compelled her to marry him. But, the victim girl refused to marry the first accused. The first accused and this petitioner have joined together and on 23.03.2025, they trespassed into the victim girl's house and pouring kerosene on her body and set fire. Hence, the case.

3. The learned counsel for the petitioner would submit that in this case, there are totally two accused persons, this petitioner was arrayed as second accused. 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 23.03.2025 more than 100 days. Hence, he seeks bail.



CRL OP(MD).No.11773 of 2025

WEB COPY

4. The learned Government Advocate (Criminal Side) would submit that the first accused compelled the victim girl to marry him. The victim girl refused the proposal of the first accused. Due to which, the first accused and this petitioner have trespassed into the house of the victim girl and pouring kerosene on her body and set fire. The victim girl had sustained 80% burn injury and admitted in hospital and later she died. The age of victim girl is only 19 years. The victim girl also clearly stated the above facts in her statement. In this case, investigation completed, charge sheet has also been filed and the same was taken on file in PRC.No.47 of 2025 on the file of the learned Judicial Magistrate No.II, Kovilpatti. The first accused is still in judicial custody. There is no previous case against this petitioner. However, 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 the investigation completed, charge sheet also filed and the same was taken on file in PRC.No.47 of 2025 on the file of the Judicial Magistrate No.II, Kovilpatti, the petitioner/2nd accused remanded into judicial custody on 23.03.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:



CRL OP(MD).No.11773 of 2025

WEB COPY

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

[c] the petitioner shall appear and sign before the respondent police daily twice at 10.00a.m., and 05.00p.m. except on hearing dates until further orders and the petitioner shall appear before the concerned trial Court on hearing dates.

[d] the petitioner shall not abscond either during trial.



CRL OP(MD).No.11773 of 2025

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[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/-
11/07/2025

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

GVN

TO

1 THE JUDICIAL MAGISTRATE NO.II,
KOVILPATTI.



CRL OP(MD).No.11773 of 2025

2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL JAIL,
PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
ETTAYAPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.11773 of 2025
Date :11/07/2025

NM/11.07.2025/ 6P/6C

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