

CRL OP(MD).No.11934 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/08/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

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1.Suriyaraja,
S/o.Mahalingam,

2.Pandiyaraj,
S/o.Gopal,

: Petitioners/ A2 & A4

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Mallanginaru Police Station,
Virudhunagar District.
(Crime No.127 of 2025)

: Respondent/ Complainant

For Petitioners : Mr.A.Thiyagarajan,
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.127 of 2025 on the file of the Respondent Police.



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ORDER : This Court made the following order :-

The petitioners / A2, & A4 who were arrested and remanded to judicial custody on 23.06.2025 for the offences punishable under Sections 296(b), 115(2), 118(1) and 351 (3) of BNS altered into Sections 296(b), 115(2), 118(1), 351(3), 103(1) of BNS, in Crime No.127 of 2025 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that there was previous enmity between the petitioners and the defacto complainant with regard to the agricultural land. Due to that motive, on 19.06.2025 at about 09.00 pm., the defacto complainant's mother and his son were in their garden situated behind their house, at that time, the petitioners came there and abused them in filthy language and the second accused assaulted the defacto complainant's son, who is aged 15 years and also mentally challenged person, on the head with wooden log and also attacked the defacto complainant's mother with hands. Thereafter, the defacto complainant's son was taken to Hospital through 108 ambulance and later, referred to Madurai Government Hospital. Despite treatment, he died on 23.06.2025. 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. Due to previous enmity, the petitioners have been falsely implicated in



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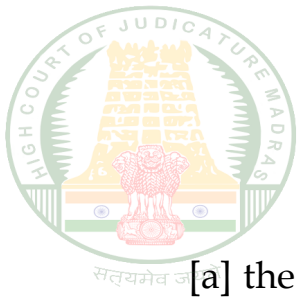
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this case. He would further submit that the petitioners are ready and willing to abide any conditions that may be imposed by this Court and the petitioners are in custody from 23.06.2025 nearly 51 days. Hence, they seek bail.

4. The learned Government Advocate (Criminal Side) would submit that due to previous enmity, the petitioners along with other accused abused the defacto complainant's mother and his son in filthy language and also attacked the defacto complainant's son with wooden log and caused grievous injuries, due to which, he died. He would further submit that the investigation has already been completed and charge sheet is yet to be filed. 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 fact that the investigation has already been completed and charge sheet is yet to be filed and the petitioners are not having any bad antecedents and also considering the fact that the petitioners/Accused 2 & 4 are in judicial custody from 23.06.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioners, subject to the following conditions:

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 District Munsif cum Judicial Magistrate, Kariyapatti, Virudhunagar District and on further conditions that :-



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[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 contact number to the learned District Munsif cum Judicial Magistrate, Kariyapatti, Virudhunagar District. If the petitioners change their residential address, they shall report the same to the learned District Munsif cum Judicial Magistrate, Kariyapatti, Virudhunagar District;

[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.

[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].



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

sd/-
14/08/2025

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14/08/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

das

TO

- 1 The District Munsif Cum
Judicial Magistrate,
Kariyapatti, Virudhunagar District.
- 2 Do Through the Chief Judicial
Magistrate, Virudhunagar District at
Srivilliputhur.
- 3 The Officer Incharge,
District Jail, Virudhunagar.
- 4 The Inspector of Police,
Mallanginaru Police Station,
Virudhunagar District.
- 5 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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ORDER
IN
CRL OP(MD) No.11934 of 2025
Date :14/08/2025

AS/14.08.2025/6P/7C

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