



CRL OP(MD).No.12302 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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1.Muthu Charman @ Suthagar,
S/o.Periyasamy

2.Arumugam,
S/o.Vaithilingam

.. Petitioners/ A1 & A2

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Pavoorchathiram Police Station,
Tenkasi District.
(Crime No.232 of 2025)

.. Respondent/ Complainant

For Petitioners : Mr.C.Susikumar,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.232 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/ A1 & A2, who were arrested and remanded to judicial custody on 20.05.2025 for the offences punishable under Sections 103(1), 61(2) and 3(5) of BNS, 2023 in Crime No.232 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the de-facto complainant is the mother of the deceased. She stated that her son was residing in a rented house near MPR Utensil shop in Adaikalapattinam, which is owned by the 1st petitioner/ A1. He was residing there along with his wife, who is arrayed as A3. The de-facto complainant further alleged that the 1st and 3rd accused were involved in an illicit relationship, and that her son had previously warned A3 in this regard. On 18.05.2025, at around 8 p.m., the deceased visited the de-facto complainant and informed her that A1 (1st petitioner herein) had been troubling him, and that A2 (2nd petitioner herein) had threatened to kill him by hitting him with a car. On the following day, i.e. 19.05.2025, at about 6.30 a.m., the de-facto complainant was informed that her son had died in an accident that occurred around 3.45 a.m. near MSPV Polytechnic. At the scene, his two-wheeler and a white TATA Indica car were found to be severely damaged. Hence, the present case.

3. The learned counsel for the petitioners submitted that this is the second anticipatory bail application filed before this Court. The petitioners are innocent



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persons and have not committed any offence as alleged by the prosecution. He submitted that a false case has been foisted against the petitioners, and there are no previous cases registered against the petitioners. However, the petitioners are ready and willing to abide by any conditions that may be imposed by this Court. He further submitted that the petitioners have been in custody from 20.05.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) submitted that the accused persons, under the pretext of an accident, caused the death of the victim. He further submitted that there are no previous cases registered against the petitioners. However, he opposed to grant bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case, and taking note of the fact that the petitioners were remanded to judicial custody on 20.05.2025, and that as the date of registration of F.I.R. is 19.05.2025, by this time most of the investigation might have been completed, and that there are no previous cases registered against the petitioners, and also considering the period of incarceration already undergone by the petitioners, 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



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sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate,

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Tenkasi 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 their residential address and contact number to the learned Judicial Magistrate, Tenkasi. If the petitioners change their residential address, they shall report the same to the learned Judicial Magistrate, Tenkasi;

[c] the petitioners shall appear and sign before the respondent police daily at 10.30 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]; and;



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[g] If the accused/petitioners thereafter absconds, a fresh FIR can be registered

under Section 269 of BNS.

sd/-

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

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TO

- 1 THE JUDICIAL MAGISTRATE, TENKASI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TENKASI DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
- 4 THE INSPECTOR OF POLICE, PAVOORCHATHIRAM POLICE STATION, TENKASI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

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Date :22/07/2025

NBF/SAR- /22/07/2025/ 5P/6C

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