



CRL OP(MD).No.12268 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.12268 of 2025

**Saravanakumar,
S/o.Velusamy**

Vs

..Petitioner/ Accused

**The State of Tamilnadu
rep.by The Inspector of Police,
Ettayapuram Police Station,
Thoothukudi District.
(Crime No.101 of 2025)**

.. Respondent/ Complainant

**For Petitioner : Mr.K.Vignesh
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.101 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Accused who was arrested and remanded to judicial custody



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on 24.04.2025 for the offences punishable under Sections 296(b), 115(2), 351(2) of BNS, 2023 altered into Sections 105, 115(2), 296(b), 351(2) of BNS, 2023 and again altered into Sections 296(b), 115(2), 131, 103(1), 351(2) of BNS in Crime No.101 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto-complainant is the husband of the deceased. This petitioner in an inebriated condition, he frequently caused disturbances to the deceased. On 23.04.2025, the accused attacked his mother and pushed her to the ground and kicked her in the stomach. He also assaulted the defacto-complainant with hands. The deceased was admitted in hospital, and she subsequently brought dead. Hence, the case.

3. The learned counsel for the petitioner would submit that in this case, investigation was completed and the charge sheet has also been filed in PRC.No.53 of 2025 on the file learned Judicial Magistrate No.II, Kovilpatti. This 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 24.04.2025, nearly 95 days. Hence, he seeks bail.



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4. The learned Government Advocate (Criminal Side) would submit that this petitioner frequently consumed alcohol and caused disturbance to the deceased. On 23.04.2025, this petitioner attacked his mother and pushed her to the grounds, and kicked her in the stomach. She had sustained grievous injury and admitted in hospital and subsequently she died. In this case, after the death of the victim, the sections was altered into Sections 296(b), 115(2), 131, 103(1), 351(2) of BNS. In this case, investigation completed, charge sheet has also been filed and the same was taken on file in PRC.No.53/2025 on the file learned Judicial Magistrate No.II, Kovilpatti. This petitioner is having four previous cases. Hence, 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 in this case, investigation was completed, charge sheet has been filed and the same was taken on file in PRC.No.53/2025 on the file learned judicial Magistrate No.II, Kovilpatti, the petitioner/accused is in judicial custody from 24.04.2025, 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



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sureties, each for a like sum to the satisfaction of learned Judicial Magistrate No.II,
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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 at 10.30.a.m., except on hearing dates, until further orders and the petitioner shall appear before the learned Judicial Magistrate No.II, Kovilpatti on hearing dates.

[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



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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.

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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,
Thoothukudi District.
2. Do through the Chief Judicial Magistrate,
Thoothukudi District.
3. The Officer In Charge,
Sub Jail, Kovilpatti.
4. The Inspector of Police,
Ettayapuram Police Station,
Thoothukudi District.



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5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
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Date :28/07/2025

PS/SAR.28.07.2025 6P/6C

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