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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

CRL OP(MD).Nos.12291 & 12292 of 2025

T.Arun,
S/o.Thirupathi Venkatachalam

.. Petitioner in
Crl.O.P.(MD)No.12291 of 2025/ A1

N.Tamilarasan,
S/o.Nagaraj

.. Petitioner in
Crl.O.P.(MD)No.12292 of 2025/ A2

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Vengamedu Police Station,
Karur District.
(Crime No.177 of 2025)

.. Respondent/Complainant
in both the petitions

For Petitioners : Mr.B.Vinothkumar,
(in both petitions) Advocate.

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



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PETITIONS FOR BAIL Under Sec.483 of BNSS

COMMON PRAYER :- For Bail in Crime No.177 of 2025 on the file of the Respondent Police.

COMMON ORDER : This Court made the following order :-

The petitioners/A1 and A2, who were arrested and remanded to judicial custody on 29.06.2025 for the offences initially punishable under Sections 296(b), 115 (2) and 351(2) of BNS, 2023 and subsequently altered to Sections 296(b), 115(2), 351(2) and 105 of BNS, 2023 in Crime No.177 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the de-facto complainant's husband had obtained a loan from a finance company, namely Murugan Finance, by mortgaging the Registration Certificate (RC) of his two-wheeler bearing Registration No.TN-28-BV-3018. On 28.06.2025, at about 7.00 a.m., the employees of the said finance company, namely A1 and A2, went to the de-facto complainant's house, abused her husband using filthy language, and also assaulted him. Subsequently, on the same day, at about 9.30 p.m., the de-facto complainant's husband passed away. Hence, the present case.



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3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and have not committed any offence as alleged by the prosecution. In fact, the de-facto complainant's husband, who was a senior citizen, was suffering from several ailments, including heart-related issues. 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 29.06.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) submitted that there are totally two accused persons in this case, and both are employees of a finance company. With regard to the repayment of loan borrowed, they went to the de-facto complainant's house and abused the de-facto complainant's husband, pushed him, and as a result, he hit a wall and collapsed to the ground. Later, due to mental agony and high blood pressure, he became unconscious and subsequently passed away. There are no previous cases registered against the petitioners. He further submitted that the postmortem certificate indicates that no other external or internal abnormalities were found anywhere on the body. However, he opposed the grant of bail to the petitioners.



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5. Taking into consideration of the facts and circumstances of the case, and taking note of the manner in which the occurrence was allegedly committed, and that the petitioners were remanded to judicial custody on 29.06.2025, and that there are no previous cases registered against the petitioners, and that as the date of occurrence is 28.06.2025, by this time most of the investigation might have been completed, and also considering the postmortem certificate of the deceased, 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 sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Karur 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;



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[b] the petitioners shall furnish their residential address and contact number to the learned Judicial Magistrate No.1, Karur. If the petitioners change their residential address, they shall report the same to the learned Judicial Magistrate No.1, Karur;

[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.

7. Accordingly, these Criminal Original Petitions are allowed.

sd/-
22/07/2025

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/2025
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 NO.I, KARUR.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.
 - 3 THE SUPERINTENDENT,CENTRAL PRISON, TRICHY.
 - 4 THE INSPECTOR OF POLICE,
VENGAMEDU POLICE STATION, KARUR DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +2 CC to M/s.B.VINOTHKUMAR, Advocate SR-7898 and 7899[I] dated 22/07/2025



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ORDER

IN

CRL OP(MD) No.12291 of 2025

Date :22/07/2025

AS/23.07.2025/7P/8C

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