



CRL OP(MD). No.12878 of 2025

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

Date : 06.08.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

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Kanthavel

... Petitioner/
Accused No.3

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Thanjavur East Police Station,
Thanjavur District.
(Crime No.855 of 2024)

... Respondent/
Complainant

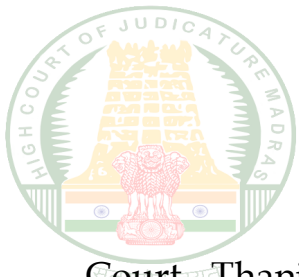
For Petitioner : Mr.K.M.Karunakaran,
Advocate.

For Respondent : Mr.M.Karunanithi,
Government Advocate (Crl. Side)

PETITION FOR BAIL Under Section 483 B.N.S.S.

PRAYER :-

For Bail in S.C.No.17 of 2025 on the file of the II Additional District and Sessions



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Court, Thanjavur, in connection with Crime No.855 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused No.3, who is facing a case for the offences punishable under Sections 103 @ 103(2), 191(2), 191(3), 61(2), 3(5), 49, 54 and 351(3) BNS, in S.C.No.17 of 2025 on the file of the II Additional District and Sessions Court, Thanjavur, in Crime No.855 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 25.09.2024, the petitioner along with other accused persons had murdered the defacto complainant's brother Arivalagan. Hence, a case came to be registered in Crime No.855 of 2024 for the offence under Section 103 BNS.

3. The learned counsel appearing for the petitioner would submit that after completion of investigation, the respondent police has filed a charge sheet and after committal, the case was taken on file in S.C.No.17 of 2025 for the offences under Sections 103(2), 191(2), 191(3), 61(2), 3(5), 49, 54 and 351(3) BNS and is pending on the file of the II Additional District and Sessions Court, Thanjavur. He would further submit that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution and that the petitioner is no way connected



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with the case, a false case has been lodged as against the petitioner.

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4. The learned counsel appearing for the petitioner would submit that the petitioner was detained under the Goondas Act on 08.11.2024 and the same was revoked by this Court in H.C.P.(MD)No.201 of 2025 on 28.07.2025 and that the petitioner is having one previous case and the same was also ended in acquittal. He would further submit that the petitioner is ready and willing to abide any conditions that may be imposed by this Court. The petitioner is in custody from 30.09.2024 nearly 300 days. Hence, he seeks bail.

5. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that the petitioner along with other accused had murdered the defacto complainant's brother and that there are totally 11 accused, the petitioner arrayed as A3 and the petitioner was detained under the Goondas Act and the detention order was set aside by this Court. He would further submit that trial has already been commenced. Hence, he objected to grant bail to the petitioner.

6. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the detention order as against the petitioner was set aside



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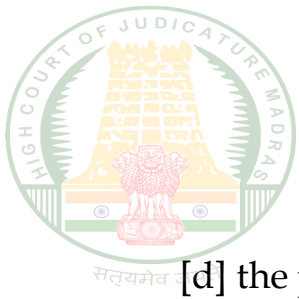
by the Division Bench of this Court and also the fact that the petitioner remanded
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into judicial custody on 30.09.2024, taking into consideration of the period of
incarceration, this court is inclined to grant bail to the petitioner, subject to the
following conditions:

7. 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 the Judicial Magistrate No.I,
Thanjavur 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 Judicial Magistrate No.I, Thanjavur. If the petitioner change his residential
address, he shall report the same to the Judicial Magistrate No.I, Thanjavur;

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



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[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 in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]; and

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

sd/-
06/08/2025

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/08/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CSM
TO

1. The Judicial Magistrate No.I,
Thanjavur.
2. The II Additional District and Sessions Judge,
Thanjavur.



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3. Do through the Chief Judicial Magistrate,
Thanjavur District.

4. The Superintendent,
Central Prison,
Trichy.

5. The Inspector of Police,
Thanjavur East Police Station,
Thanjavur District.

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-8482[I] dated 06/08/2025)

ORDER
IN
CRL OP(MD) No.12878 of 2025
Date :06/08/2025

PS/SAR.06.08.2025 6P/7C

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