



CRL OP(MD).No.13273 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/08/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

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Mariraj alias Rasukutty,
S/o.Mariappan,

..Petitioners/ Accused No.1

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Muneerpallam Police Station,
Tirunelveli District.
(Crime No.332 of 2023)

.. Respondent/ Complainant

For Petitioners : Mr.K.Jeyamohan
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.332 of 2023 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Accused No.1 who was arrested and remanded to judicial custody on 07.09.2023 for the offences punishable under Sections 147, 148, 341, 294(b),



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303 @ 506(ii) of IPC altered into Sections.147, 148, 341, 294(b), 302, 506(ii), 120(B) & 34

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of IPC in Crime No.332 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 24.08.2022, there was a wordy altercation between the deceased by name Ganeshan and the accused No.2 namely Esakkipandi @ Chinnadurai. Out of this motive, the deceased is said to have attempted to kill the mother of the second accused and on the same night the deceased said to have murdered the close relative of the second accused namely Mariammal. Due to which, on 28.08.2023, all the accused persons unlawfully assembled with deadly weapons and wrongfully restrained the deceased Ganeshan and attacked the deceased with Aruval and caused death. Hence, the case.

3. The learned counsel for the petitioner would submit that due to previous enmity, the defacto-complainant lodged a false complaint against this petitioner. In this case, a charge sheet has been filed and the was taken on file in S.C.No.157 of 2024 on the file of learned IV Additional District and Sessions Judge, Tirunelveli. Now the trial was almost completed, all the eye witnesses were turned hostile. 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 07.09.2023, nearly two years. Hence, he seeks bail.



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4. The learned Government Advocate (Criminal Side) would submit that on 24.08.2022, there was wordy quarrel between the deceased and A2, due to which, the deceased murdered the close relative of A2 on the same night. Hence, as a retaliation, on 28.08.2023, the accused persons unlawfully assembled with deadly weapons and murdered the deceased. There are totally 17 accused persons, this petitioner was arrayed as Accused No.1. In this case, A6 to A17 surrendered and subsequently enlarged on bail. Accused No.13 was died. This petitioner is having ten previous cases. In this case, a charge sheet has been filed and the was taken on file in S.C.No.157 of 2024 on the file of learned IV Additional District and Sessions Judge, Tirunelveli. Now the trial was almost completed, all the eye witnesses were turned hostile. Further, the said case was posted for the examination of L.W.17. 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, A6 to A17 surrendered and subsequently enlarged on bail, Accused No.13 was died, in this case, charge sheet has been filed and the was taken on file in S.C.No.157 of 2024 on the file of learned IV Additional District and Sessions Judge, Tirunelveli, now the trial was almost completed, all the eye witnesses were turned hostile, the other co-accused were already enlarged on bail, the petitioners/accused No.1 is in judicial custody from 07.09.2023, taking into



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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 sureties, each for a like sum to the satisfaction of learned IV Additional District and Sessions Judge, Tirunelveli District 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 IV Additional District and Sessions Judge, Tirunelveli District. If the petitioner changes his residential address, he shall report the same to the learned IV Additional District and Sessions Judge, Tirunelveli District;

[c] the petitioner shall appear and sign before the IV Additional District and Sessions Judge, Tirunelveli District on all working days at 10.00a.m. until further orders;

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[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 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].

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

sd/-
13/08/2025

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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 IV ADDITIONAL DISTRICT AND SESSIONS JUDGE,
TIRUNELVELI DISTRICT.
 - 2 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
 - 3 THE INSPECTOR OF POLICE, MUNEERPALLAM POLICE STATION,
TIRUNELVELI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS
HIGH COURT, MADURAI.
- +1 CC to M/s.K.JEYAMOCHAN, Advocate (SR-8773[I] dated 13/08/2025)



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ORDER
IN

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Date :13/08/2025

NBF/SAR- /13/08/2025/ 6P/6C

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