



CRL OP(MD).No.13647 of 2025

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

Date : 18/08/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.13647 of 2025

**Esakkimuthu,
S/o.Arunachalam,**

: Petitioner/ Accused Rank not known

Vs

**The State of Tamilnadu
rep.by The Inspector of Police,
Srivaigundam Police Station,
Thoothukudi District.
(Crime No.260 of 2025)**

: Respondent/ Complainant

**For Petitioner : Mr.C.Venkatesh,
Advocate.**

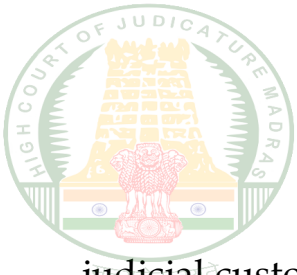
**For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)**

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.260 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Accused Rank Not known, who was arrested and remanded to



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judicial custody on 23.05.2025 for the offences punishable under Sections 296(b), 115 (2), 118(1), 351(3) of BNS and Section 3 of TNPPDL Act, in Crime No.260 of 2025 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that there was previous enmity between the petitioner and the defacto complainant, due to which, on 15.05.2025, when the defacto complainant was standing near the house of one Sagayam, the accused persons in drunken state came there and abused the defacto complainant in filthy language and attacked him with aruval and also caused injuries. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner's name does not find place in the FIR and there is no overt act against the petitioner. He also submitted that the petitioner is ready and willing to abide any conditions that may be imposed by this Court. The petitioner is in custody from 23.05.2025 and hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) submitted that there are totally three accused in this case. Initially FIR has been registered against one



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Balamurugan and two others and after investigation, the petitioner has been added as Accused No.1. The defacto complainant is working as Mason. While the defacto complainant was standing near the house of one Sagayam, the accused persons, who were in a drunken state, came there, abused him in filthy language, and attacked him with aruval and thereby causing injuries. He further submitted that the injured has been discharged from the hospital. Investigation is still pending and the petitioner is having five previous cases and the petitioner is detained under Act-14. Hence, he opposed to grant bail to the petitioner.

5.In reply, the learned counsel for the petitioner submitted that as per order, dated 22.07.2025, in G.O.Rt.No.4450, the detention order invoked against the petitioner has been revoked.

6.Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the detention order invoked against the petitioner, has been revoked and the injured person has been discharged from the hospital and that as the date of registration of F.I.R. is 15.05.2025, by this time most of the investigation might have been completed and also considering the fact that the petitioner/Accused is in judicial custody from 23.05.2025, taking into consideration



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of the period of incarceration, this court is inclined to grant bail to the petitioner,
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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 learned Judicial Magistrate No.I, Srivaigundam 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.I, Srivaigundam. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.I, Srivaigundam;

[c] the petitioner shall appear and sign before the respondent police daily i.e., 10.00 a.m., until further orders.

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



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[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].

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

sd/-
18/08/2025

/ TRUE COPY /

18/08/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

das



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TO मेव जयते

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1. The Judicial Magistrate No.I,
Srivaigundam.
2. Do Through The Chief Judicial Magistrate
Thoothukudi District.
3. The Superintendent of Prision,
Central Prison, Palayamkottai.
Tirunelveli District.
4. The Inspector of Police,
Srivaigundam Police Station,
Thoothukudi District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN

CRL OP(MD) No.13647 of 2025
Date :18/08/2025

PR/18.08.2025 6P/6C

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