



CRL OP(MD).No.13762 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/08/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

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- 1.Anniyan @ Dhivakar
- 2.Hariharan
- 3.Govindan @ Govindaraj

...Petitioners/ Accused Nos.2,4 and 5

Vs

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

.. Respondent/ Complainant

For Petitioners : M/s.M.Karunakaran
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.855 of 2024 on the file of the Respondent Police.

<https://www.hmc.m.gov.in/judis>



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ORDER: This Court made the following order :-

The petitioners / Accused Nos.2,4 and 5, who were arrested and remanded to judicial custody on 30.09.2024 for the offences punishable under Sections 103 of BNS @ 103(2), 191(2), 191(3), 61(2), 3(5), 49, 54, 351(3) of BNS, 2023, in S.C.No.17 of 2025 on the file of the learned II Additional District and Sessions Judge, Thanjavur, in Crime No.855 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 25.09.2024, the petitioners / A2, A4 & A5, along with another accused have committed murder of the defacto complainant's brother Arivalagan. Hence the case.

3. The learned counsel for the petitioners would submit that respondent police has lodged a false complaint against this petitioners. The petitioners are an innocent person and they have not committed any offences as alleged by the prosecution. The petitioners are ready and willing to abide any conditions that may be imposed by this Court. He would further submit that the petitioners are in custody from 30.09.2024 nearly 11 months. Hence, he seeks bail.



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4. Learned counsel for the petitioners would further submit that the petitioners were detained under the Goondas Act on 08.11.2024 and the same was revoked by this Court in H.C.P(MD)Nos.12, 199 and 168 of 2025 respectively, on 28.07.2025 and that the petitioner is having one previous csae and the same was also ended in acquittal.

5. The learned Government Advocate (Criminal Side) would submit that there are totally 11 accused in this case. The petitioners are accused Nos.2,4 and 5. There are fifteen(15) previous cases against A2, five(5) previous cases against A4 and four (4) previous cases against A5 in this case. He further submitted that the deceased is the brother of the defacto complainant who is also a History sheeted person in H.S.No.483 of 2013. The accused persons are belonging to the gang of the deceased. Due to the harassment of the deceased, underwent by the accused persons, they conspired and gathered on the direction of the first accused in a cricket ground and murdered the said Arivalagan /deceased. However, 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 petitioners are under custody from 30.09.2024 for



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nearly 300 days and also the fact that investigation in this case has been completed
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and charge sheet has also been filed and taken on file in PRC.No.53 of 2024 and after committal before the learned II Additional District and Sessions Judge, thanjavur and taken on file in S.C.No.17 of 2025, this court is inclined to grant bail to the petitioners, subject to the following conditions:

7. 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 learned Judicial Magistrate No.1, 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 their residential address and contact number to the learned Judicial Magistrate No.1, Thanjavur. If the petitioner changes their residential address, they shall report the same to the learned Judicial Magistrate No.1, Thanjavur;

[c] the petitioners shall stay at Dindigul and and sign before the Inspector of Police, Dindigul Taluk Police Station, daily twice at 10.00 a.m. and 05.00 p.m., except on the hearing dates and on hearing dates, the petitioners shall appear before the concerned Court, until further orders.

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

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[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 petitioner in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court herself 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/-
25/08/2025

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/ /2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

TO

1 The Judicial Magistrate No.1,
Thanjavur.

2 Do Through
The Chief Judicial Magistrate,
Thanjavur District.



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3 II Additional District and Sessions Judge,
Thanjavur

4 The Superintendent, Central Prison,
Trichy.

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

6 The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul.

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-9175[I] dated 25/08/2025)

ORDER
IN

CRL OP(MD) No.13762 of 2025
Date :25/08/2025

NM/26.08.2025/ 6P/8C

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