



CRL OP(MD).No.14123 of 2025

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

Date : 02/09/2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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M.Sethupathy,
S/o.Malaiyandi,

.. Petitioner/ Accused
No.4

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Kadaladi Police Station,
Ramanathapuram District.
(Crime No.17 of 2025)

.. Respondent/Complainant

For Petitioner :Mr.Raja Karthikeyan
Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.17 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police

for the offences punishable under Sections 49, 126(2), 191(2), 191(3), 296(b), 103, 351



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(3) and Section 61(2) of BNS Act, 2023 in Crime No.17 of 2025 on the file of the
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respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto-complainant's son Karuppasamy was murdered on 18.02.2025. There are totally 13 accused persons involved in this case. This petitioner was arrayed as Accused No.4. Due to previous enmity with one Subbu cahndran and his family members, and on 19.01.2025, there was a clash between the Defacto-complainant and his family members and Subbu Chandran family members, the murder is extension of enmity between the two families. At the instigation of Accused No.11 to 13 the accused Nos.1 to 10 attacked with weapons on the deceased Karuppasamy, he sustained severe injury and died. Hence, the case.

3. The learned counsel for the petitioner would submit that there are totally thirteen accused persons involved in the said occurrence, this petitioner was arrayed as Accused No.4. This petitioner is a college going student and he is studying Law at Vizag. The respondent police lodged a false case against this petitioner. The 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 which may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail to the petitioner.



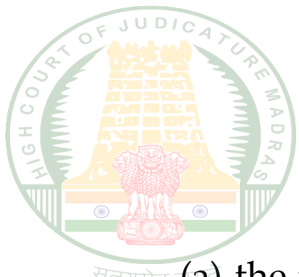
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4. The learned Government Advocate (Criminal Side) would submit that the accused persons joined together and attacked the deceased Karuppasamy, due to which, he sustained severe injury and died on the spot. In this case, investigation completed, charge sheet has been filed. There is no previous case against this petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, there is no previous case against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Kadaladi, Ramanathapuram District on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate Court, Kadaladi, Ramanathapuram District and on further conditions that:



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(a) the petitioner and 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;

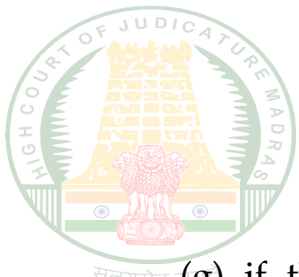
(b) the petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate Court, Kadaladi, Ramanathapuram District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate Court, Kadaladi, Ramanathapuram District;

(c) the petitioner shall Stay at Madurai and he shall appear and sign before the Inspector of Police, Tallakulam Police Station, Madurai District daily at 10.30.a.m. for the period of one week and thereafter he shall appear before the respondent police as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond 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;



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(g) if the accused thereafter abscond, a fresh FIR can be registered under
Section 269 of BNS, 2023.

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

gvn
TO

1. The Judicial Magistrate,
Kadaladi, Ramanathapuram District.

2. The Inspector of Police,
Kadaladi Police Station,
Ramanathapuram District.

3. The Inspector of Police,
Tallakulam Police station,
Madurai.

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

+1 CC to M/s.RAJA KARTHIKEYAN, Advocate (SR-9537[I] dated 02/09/2025)

ORDER
IN

CRL OP(MD) No.14123 of 2025
Date :02/09/2025

HPS/16.09.2025 5P/6C

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