



CRL OP(MD). No.16454 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.09.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.16454 of 2025

Aswathkumar

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Kayathar Police Station,
Thoothukudi District.
(Crime No.73 of 2025)

... Respondent/Complainant

For Petitioner : Mr.R.Ilayaraja

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.73 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 01.03.2025 for the offences punishable under Sections 296(b), 232(1) & 351(3) of BNS, 2023 (Corresponding offences under Sections 294(b), 195A, 506(2) of IPC, in Crime No.73 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was an accused in S.C.No.66 of 2024 for murdering his own father and the said occurrence was happened in front of the house of the defacto complainant, who is the father-in-law of the petitioner and in order to prevent the defacto complainant from deposing his witness, the petitioner had abused him in filthy language and also threatened with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 01.03.2025. Hence, he seeks bail to the



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petitioner.

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4. The learned Additional Public Prosecutor submitted that previously the petitioner murdered his own father and in that case, the defacto complainant is an eye witness and hence, the petitioner had threatened him. He further submitted that threatening a witness not to depose evidence is a serious offence. Hence, he opposed to grant bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and that the the chief and cross examination of all the witnesses are over, only official witnesses are remaining and also considering the period of incarceration suffered by the petitioner, 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.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Kovilpatti, 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the Trial Court daily at 10.30 a.m., until further orders. He has to co-operate for the investigation.

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

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

[e] 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 is 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].



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

(S S Y J)
26.09.2025

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To

1. The Judicial Magistrate No.II,
Kovilpatti.
2. The Superintendent, Central Prison,
Palayamkottai.
3. The Inspector of Police,
Kayathar Police Station,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

jbr

ORDER
IN
CRL OP(MD) No.16454 of 2025

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