



CRL OP(MD). No.16297 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

(Criminal Jurisdiction)

Date : 25/09/2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.16297 of 2025

Muthaiya

... Petitioner/Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Thenkarai Police Station,
Theni District.
(Crime No.441 of 2025)

... Respondent/Complainant

For Petitioner : Mr.C.Raja

Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Cr.No.441 of 2025 on the file of the respondent police.



CRL OP(MD). No.16297 of 2025

ORDER : The Court made the following order :-

WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 12.08.2025 for the offences punishable under Sections 296(b), 126(2) & 103(1) of BNS, in Crime No.441 of 2025 on the file of the respondent police. seeks bail.

2. The case of the prosecution is that the petitioner along with other accused persons have abused the brother of the defacto complainant in filthy language and attacked him with knife and caused his death. 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 ready and willing to abide by any conditions which may be imposed by this Court and he is in judicial custody from 12.08.2025. Hence, he seeks bail to the petitioner.



CRL OP(MD). No.16297 of 2025

WEB COPY

4. The learned Additional Public Prosecutor submitted that there is one previous case pending against the petitioner and the investigation is still penidng. Hence, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also consideration 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 Judicial Magistrate Court, Periyakulam, Theni 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 report before the respondent police daily at 10.30 a.m., and 05.30 p.m.,



WEB COPY



CRL OP(MD). No.16297 of 2025

until further orders.

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

[d] the petitioner shall not tamper with evidence or witness 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 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].

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

(S S Y J)
25.09.2025

msrm



CRL OP(MD). No.16297 of 2025

WEB COPY

To

1. The Judicial Magistrate Court,
Periyakulam, Theni District.
2. The Superintendent, District Jail,
Theni District.
3. The Inspector of Police,
Thenkarai Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD). No.16297 of 2025

S.SRIMATHY,J.

msrm

ORDER
IN
CRL OP(MD) No.16297 of 2025

Date : 25.09.2025