



CRL OP(MD)No.16859 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 03.10.2025

PRESENT

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

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Thomaiyan @ Chinnathambi

... Petitioner

Vs

The State of Tamil Nadu,
rep, by the Inspector of Police,
Palani Town Police Station,
Dindigul District.
Crime No.10 of 2025

... Respondent

For Petitioner : Mr.T.Indrachithu

For Respondent : Mr.A.Thiruvadikumar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER:- For Bail in Crime No.10 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 05.01.2025 for the offences punishable under Sections 296(b), 103 and 351(3) of BNS, 2023, in Crime No.10 of 2025 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner's daughter got married to the brother of the defacto complainant's husband. The brother of the defacto complainant's husband had illicit affair with one lady and hence, the petitioner had developed disgruntle with the defacto complainant's family. While so, on 04.01.2025 when the husband of the defacto complainant was eating food in the house of one Magesh, where the funeral ceremony of the said Magesh's father was going on, the petitioner picked up a quarrel with him over the issue of his daughter Sutha and suddenly, took out a knife and stabbed him and caused injury below the left ear and thereby the defacto complainant's husband died. Hence, the complaint.



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3.The learned counsel for the petitioner submitted that it was a case of sudden provocation and there was no intention on the side of the petitioner to kill the deceased. He further submitted that the nature of the injury inflicted on the body of deceased is an injury seen below the ear and apart from that no other injury found in the body. The petitioner has been in custody from 04.01.2025 and he is ready to abide by any condition to be imposed by this Court. Hence, he seeks bail to the petitioner.

4.Per contra, the learned Additional Public Prosecutor submitted that the petitioner has been in custody from 05.01.2025. There are 19 previous cases are pending against the petitioner and he was detained under Goondas Act and subsequently, the same was quashed by this Court in H.C.P(MD).No.556 of 2025 dated 17.09.2025. He further submitted that in this case investigation was completed and charge sheet was also laid and the same was taken on file in S.C.No.255 of 2025 by the learned Additional District Judge (Fast Track Court), Palani.



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5. Taking into consideration of the facts and circumstances of the case 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.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Palani, Dindigul 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 furnish his residential address and mobile number to the learned Judicial Magistrate, Palani, Dindigul District.

[c] If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate, Palani, Dindigul District.



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[d] the petitioner shall appear before the learned Additional District Judge (Fast Track Court), Palani, Dindigul District, twice in a week i.e., on every Monday and Friday at 10.30 a.m., until further orders.

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

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

[g] 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].

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

(M J R J)
03.10.2025

Rmk/vsg



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1. The Judicial Magistrate, Palani, Dindigul District.
2. The Additional District Judge, (Fast Track Court), Palani, Dindigul.
3. The Superintendent, Central Prison, Madurai.
4. The Inspector of Police, Palani Town Police Station, Dindigul District.
5. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.



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M.JOTHIRAMAN,J.

Rmk/vsg

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