



CRL OP(MD). No.18857 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.10.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.18857 of 2025

Premkumar

... Petitioner/
Accused Rank Not Known

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Srivaikundam Police Station,
Srivaikundam,
Tuticorin.
(Crime No.391 of 2025)

... Respondent/Complainant

For Petitioner : Mr.B.Aravinthan

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.391 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 01.09.2025 for the offences punishable under Sections 296(b), 126(2), 103(1), 351(3), 238(a) and 49 of BNS, in Crime No. 391 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous motive, the petitioner along with other accused persons attacked the deceased and subsequently, he died. 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 01.09.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the



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petitioner along with other accused persons attacked the deceased and subsequently, he died. Therefore, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the fact that the specific overt act against the petitioner is only screening of evidence 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.1, Srivaikundam, Tuticorin, and on further conditions that :-

[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.



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[b] the petitioner shall at Madurai and report before the Inspector of Police, Thallakulam Police Station, Madurai, once in a week, at 10.30 a.m., on every Monday until further orders. The petitioner is further restrained from entering Thoothukudi District.

[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].

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

(S S Y J)
29.10.2025

jbr



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To

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1. The Judicial Magistrate No.1, Srivaikundam, Tuticorin
2. The Superintendent, Central Jail,
Palaiyamkottai.
3. The Inspector of Police,
Srivaikundam Police Station,
Srivaikundam,
Tuticorin.
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.18857 of 2025

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