



CRL OP(MD). No.19229 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date :03.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.19229 of 2025

Moorthi

... Petitioner/ Accused No.4

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Viralimalai Police Station,
Pudukottai District.
(Crime No.367 of 2025)

... Respondent/Complainant

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.367 of 2025 on the file of the respondent police.



CRL OP(MD). No.19229 of 2025

ORDER : The Court made the following order :-

The petitioner/A4, who was arrested and remanded to judicial custody on 09.09.2025 for the offences punishable under Sections 296(b), 190, 103(2) and 351(3) of BNS, in Crime No.367 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to pathway dispute between the defacto complainant's family members and the 1st accused's family members, the petitioner and other accused persons waylaid the defacto complainant's husband and assaulted him with deadly weapons and caused injuries due to which 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 09.09.2025. Hence, he seeks bail to the petitioner.



CRL OP(MD). No.19229 of 2025

4. The learned Additional Public Prosecutor submitted that the petitioner has no previous cases. However, he opposed for grant of bail to the petitioner.

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.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Viralimalai, 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.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m, until further



CRL OP(MD). No.19229 of 2025

orders;

[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.

03.11.2025

PJL



WEB COPY



CRL OP(MD). No.19229 of 2025

To

1. The Judicial Magistrate,
Viralimalai.
2. The Superintendent,
Central Jail, Trichy.
3. The Inspector of Police,
Viralimalai Police Station,
Pudukottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD). No.19229 of 2025

S.SRIMATHY,J.

PJL

ORDER
IN
CRL OP(MD) No.19229 of 2025

Date : 03.11.2025