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CRL OP(MD). No.19467 of 2025

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)**

Date :06.11.2025

**PRESENT
THE HONOURABLE MRS. JUSTICE S.SRIMATHY**

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P.Murugan

... Petitioner/ A11

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Koodakovil Police Station,
Madurai.
(Crime No.105 of 2025)

... Respondent/Complainant

For Petitioner : Mr.A.Sivasubramanian

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.105 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 17.10.2025 for the offences punishable under Sections 191(2), 190, 326(f), 105 & 249 of BNS, in Crime No. 105 of 2025 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that due to previous enmity, on 22.08.2025, when the husband of the defacto complainant went for his routine work, the petitioner and other accused persons have chased the husband of the defacto complainant at night hours, and the defacto complainant ran away from them in fear and fell into a dry well 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 17.10.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner has no previous cases. The specific overt act against the petitioner is, he chased the defacto complainant due to which he ran away and fell into a dry Well and died. The co-accused were already granted bail. However, he opposed for grant of bail to the petitioner.



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5. Taking into consideration of the facts and circumstances of the case and the co-accused were already granted bail 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, Thirumangalam, 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 orders;

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



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[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.

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To

1. The Judicial Magistrate, Thirumangalam.
2. The Superintendent, Sub Jail, Thirumangalam.
3. The Inspector of Police, Koodakovil Police Station, Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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