



CRL OP(MD). No.20325 of 2025

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

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Date : 17.11.2025

PRESENT
THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Muthusamy ... Petitioner / Sole Accused
Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Pudukkottai Police Station,
Thoothukudi District.
(Crime No.435 of 2025)

... Respondent/Complainant

For Petitioner : Mr.J.Jeyaaron Raja
For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER:- For Bail in Crime No.435 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 01.10.2025 for the offences punishable under Sections 296(b), 109(1) and 103(1) of BNS altered into 296(b), 109(1) and 103(1) of BNS, corresponding Section 294(b), 307 of IPC @ 294 (b), 307 and 302 IPC, in Crime No.435 of 2025, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the defacto complainant's son is a drunkard and he periodically consumed alcohol and created quarrel with the defacto complainant and his family members. On 01.10.2025, he had taken money from the house of the defacto complainant and after consuming alcohol, he had created quarrel with the defacto complainant and his family members, at that time, the petitioner intervened and pulled down the defacto complainant's son due to which he got injured and he was admitted in the hospital and 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 deceased, in a drunken mood, frequently troubling the petitioner by knocking the door and in order to avoid nuisance, he just pushed the deceased. The petitioner is in judicial custody from 01.10.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner is having no previous cases and the specific overtact against



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the petitioner is he pushed the deceased and investigation is yet to be completed. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and considering the fact that in order to avoid nuisance, the petitioner has just pushed the deceased and also considering the nature of offence and 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 No.III, Thoothukudi, 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;



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[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.

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To

1. The Judicial Magistrate No.III, Thoothukudi.
2. The Superintendent, District Prison, Perurani, Thoothukudi District.
3. The Inspector of Police, Pudukkottai Police Station, Thoothukudi District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

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