



Crl.O.P.(MD)No.21877 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated : 28.11.2025

PRESENT

The HONOURABLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD)No.21877 of 2025

Ganapathi

... Petitioner

Vs.

State of Tamil Nadu,
Represented by the Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
(Crime No.309 of 2025)

... Respondent

For Petitioner : Mr.S.Sathyachidambaram

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

PETITION FOR BAIL Under Sec.483 of BNSS, 2023.

PRAYER :- For Bail in Cr.No. 309 of 2025 on the file of the respondent police.

ORDER: The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 30.09.2025 for the offences punishable under Sections 296(b), 103(1) of BNS, 2023 (Correspondingly 294(b) and 302 of I.P.C) in Crime No. 309 of 2025, on the file of the respondent police, seeks bail.



Crl.O.P.(MD)No.21877 of 2025

2.The case of the prosecution is that the de-facto complainant, deceased and the petitioner / accused are brothers and there is already a land dispute between the petitioner and the deceased. While that being so, on 29.09.2025, during evening hours, the de-facto complainant received a phone call regarding the quarrel between the petitioner and the deceased. At 09.00 p.m., when the de-facto complainant reached the place of occurrence he found that the deceased was attacked by the petitioner with deadly weapons and the petitioner escaped from the spot. Hence, this case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he has been arrested and is languishing in jail from 30.09.2025. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the charge sheet has been filed and there are four previous cases pending against the petitioner and opposed the grant of bail.

5.Considering the fact that the charge sheet has been filed and considering the period of incarceration, this Court is inclined to grant bail to the petitioner on certain conditions.



Crl.O.P.(MD)No.21877 of 2025

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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, Devakottai, Sivagangai District, and on further conditions that,

a)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

b)the petitioner shall report before the trial Court daily at 10.30 a.m., until further orders;

c)the petitioner shall not tamper with evidence or witness;

d)the petitioner shall not abscond during 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 released on bail by the learned Magistrate/Trial Court himself as



Crl.O.P.(MD)No.21877 of 2025

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 of BNS.

28.11.2025

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Crl.O.P.(MD)No.21877 of 2025

TO

- 1.The Judicial Magistrate,
Devakottai,
Sivagangai District.
- 2.The Central Prison,
Ramanathapuram.
- 3.The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench Of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.21877 of 2025

S.SRIMATHY,J

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ORDER
IN
CRL OP(MD) No.21877 of 2025

Date : 28.11.2025