



CRL OP(MD). No.22667 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.12.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Nithyakumar @ Kathir

2. K.Sanjith

... Petitioners/ Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Soolakkarai Police Station,
Virudhunagar District.
(Crime No.259 of 2025)

... Respondent/Complainant

For Petitioners : Mr.T.Balarathinakumar

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

For Intervenor : Mr.K.Navaeetha Raja

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.259 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 05.10.2025 for the offences punishable under Sections 103(1), 296(b) and 351(3) of BNS Act, 2023, in Crime No. 259 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the accused persons stabbed the defacto complainant's son on the neck and chest with a knife. When the defacto complainant shouted for help, the accused threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent person and they have not committed any offences as alleged by the prosecution. He further submitted that the co-accused has already been released on bail and that the petitioners are in judicial custody from 05.10.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the



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investigation is almost complete and that no previous cases are pending against the petitioners. However, he opposed the grant of bail to the petitioners.

5. Taking into consideration of the fact that the co-accused has already been granted bail, that there are no previous cases pending against the petitioners and also considering the period of incarceration suffered by the petitioners, this Court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are 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.2, Virudhunagar, and on further conditions that :-

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

[c] the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioners 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)
10.12.2025

jbr



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1. The Judicial Magistrate No.2, Virudhunagar,
2. The Superintendent, District Jail,
Virudhunagar.
3. The Inspector of Police,
Soolakkarai Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

jbr

ORDER
IN
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