



CRL OP(MD). No.22717 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.12.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Kaviyarasan @ Kaviyarasu

... Petitioner/ Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Thottiyam Police Station,
Trichy District.
(Crime No.384 of 2025)

... Respondent/Complainant

For Petitioner : Mr.SMA Jinnah

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 384 of 2025 on the file of the respondent police.



The petitioner, who was arrested and remanded to judicial custody on 04.09.2025 for the offences punishable under Sections 103(1), 351(3), 238(a) of BNS, subsequently altered into 103(1), 351(3), 238(a), 49 and 191(3) of BNS, in Crime No. 384 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that while the defacto complainant and her cousin were on their way home, they saw two persons assaulting someone with a sickle. Thereafter, the defacto complainant was shocked to see her mother screaming that some persons were killing her son-in-law. The defacto complainant then went to her mother and enquired, and came to know that the accused persons had killed her husband and were carrying his head in their hands. 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



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as alleged by the prosecution. He further submitted that the co-accused has already been granted bail and that the petitioner is in judicial custody from 04.09.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the offences committed by the accused are serious in nature. He further submitted that two previous cases are pending against the petitioner. Therefore, he opposed for grant of bail to the petitioner.

5. The petitioner/A-3 was detained under Act 14, however, the detention was subsequently revoked. A-1 and A-2 are still detained under Act 14. The specific overt act alleged against the petitioner is that he conspired with the other accused. Considering the above facts and that the co-accused has already been 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)



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with two sureties, each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Thottiyam, Trichy, 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 concerned Judicial Magistrate Court 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.

[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



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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)
12.12.2025

jbr

To

1. The District Munsif cum Judicial Magistrate,
Thottiyam, Trichy.
2. The Superintendent, Central Prison,
Trichy.
3. The Inspector of Police,
Thottiyam Police Station,
Trichy 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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