
(2025) 12 MAD CK 0011

Madras HC

Case No: Criminal Original Petition (MD) No. 23115 Of 2025

Manithavasu @ Mani

APPELLANT

Vs

State Of Tamilnadu

RESPONDENT

Date of Decision: Dec. 16, 2025

Acts Referred:

- Bharatiya Nyaya Sanhita, 2023-Section 103(1), 191(2), 191(3), 269, 329(4)

Hon'ble Judges: S.Srimathy, J

Bench: Single Bench

Advocate: S.Vinayak, E.Antony Sahaya Prabahar

Judgement

S.Srimathy, J

1. The petitioner, who was arrested and remanded to judicial custody on 03.10.2025 for the offences punishable under Sections 191(2), 191(3), 329(4) & 103(1) of BNS Act, in Crime No.252 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused persons had entered into the house of the defacto complainant and attacked them with Aruval, due to which, they sustained injuries and thereafter, the son of the defacto complainant died. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that co-accused had already been granted bail by this Court in CrI.OP(MD).No.22311 of 2025 dated 05.12.2025. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court and he is in judicial custody from 03.10.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that there are four previous cases pending against the petitioner He further submitted that the investigation is

still pending. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case 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) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Kulithalai,, and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., and 05.30 p.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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 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.