



CrI.O.P.No. 8257 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P.No. 8257 of 2025

Muruganantham

... Petitioner

Versus

State Rep. By
The Inspector of Police,
Arumbavoor Police Station,
Perambalur District.
(Crime No.292/2024)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order in CrI.M.P.No.305/2025 dated 17.02.2025 passed by the learned Principal District and Sessions Judge at Perambalur and permit the petitioner to release on his own bond surety in Crime No.292 of 2024 on the file of the respondent police.

For Petitioner : Mr. C. Samivel

For Respondent : Mr. A. Gopinath,
Government Advocate (Criminal Side)



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ORDER

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This petition has been filed challenging the order in Crl.M.P.No.305 of 2025 dated 17.02.2025 passed by the learned Principal District and Sessions Judge at Perambalur and consequently, to permit the petitioner to release on his own bond surety in Crime No.292 of 2024 on the file of the respondent police.

2. The petitioner is an accused in the complaint lodged by the respondent for the offence punishable under Section 109 of the Bharatiya Nyaya Sanhita, (BNS), 2023, in Crime No.292 of 2024 and he was remanded to judicial custody on 04.12.2024. Therefore, the petitioner moved a bail application in Crl.M.P.No.1832 of 2024 before the Principal District and Sessions Court, Perambalur, and the same was dismissed on 19.12.2024.

2.1 The petitioner then moved a second bail application in Crl.M.P.No.12 of 2025 before the same Court, which allowed the petitioner's bail application on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- with two sureties for a like sum to the satisfaction of the learned District Munisf-cum-Judicial Magistrate, Veppanthattai and other usual conditions.



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2.2 Thereafter, the petitioner filed a modification petition in CrI.M.P.No.203 of 2025, to modify the earlier condition that imposed on the petitioner in CrI.M.P.No.12 of 2025, dated 06.01.2025, requiring him to execute a bond of Rs.10,000/- with two sureties for a like sum to the satisfaction Court. After hearing both sides, the learned trial Judge had modified the condition, stating that the petitioner would be released on bail, on executing a bond for a sum of Rs.10,000/- with one surety.

2.3 Against which, the petitioner filed a second modification petition in CrI.M.P.No.305 of 2025, to modify the earlier condition passed in CrI.M.P.No.203 of 2025 in CrI.M.P.No.12 of 2025, seeking to release the petitioner on his own bond. The said petition was dismissed by the learned trial Judge, on 17.02.2025.

2.4 Aggrieved by the same, the petitioner has filed the present petition.

3. The learned counsel for the petitioner submitted that the petitioner belongs to a very poor family and due to a family dispute with his family members, no one is willing to give surety to him. Further, he submitted that after granting bail to the petitioner, he cannot avail himself of the bail due to the surety requirement. Hence, the petitioner



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approached this Court with the above said prayer.

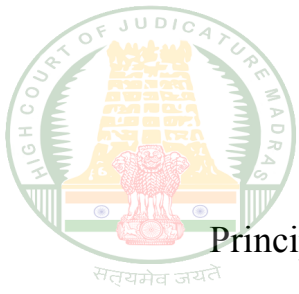
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4. The learned Government Advocate (Criminal side) appearing for the respondent police submitted that based on the conditions imposed on the petitioner by the Trial Court, the petitioner had moved a modification petition and it had also modified the condition. The learned trial Judge had only dismissed the second modification petition filed by the petitioner, and it is a just and reasonable.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondent and also perused the materials available on record.

6. On perusal of the records, this Court does not find any illegality or infirmity on the conditions imposed on the petitioner by the Trial Court, while granting bail to the petitioner.

7. In view of the above, this Court is not inclined to set aside the modification order dated 17.02.2025 passed in Crl.M.P.No.305 of 2025 in Crl.M.P.No.203 of 2025 in Crl.M.P.No.12 of 2025, by the learned



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Principal District and Sessions Judge, Perambalur and the same is hereby

WEB COPY confirmed.

8. Accordingly, this Criminal Original Petition stands dismissed.

20.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

klr

To

1. The Inspector of Police,
Arumbavoor Police Station,
Perambalur District.
2. The Public Prosecutor,
High Court, Madras.
3. The Principal District and Sessions Judge
Perambalur



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G.K.ILANTHIRAIYAN, J.

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