



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.711 of 2025

Muthupandi @ Mookammal

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Sattur Town Police Station,
Virudhunagar District.
Crime No.444 of 2022

... Respondent/Complainant

For Petitioner : Mr. S.Poornachandran
Advocate

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner on bail in S.C.No.45 of 2023 on the file of the learned



Assistant Sessions Judge, Sattur.

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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 09.01.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner/ Accused No.2 was arrested and remanded to judicial custody on 21.12.2022 for the offences punishable under Section 394 of the Indian Penal Code, Section 27(2) of the Arms Act, and Section 8(c) r/w Section 20(b)(ii)(A) of the Narcotic Drugs and Psychotropic Substances Act, in Crime No.444 of 2022 on the file of the respondent-police. After investigation, charge sheet has been filed, and the same was taken on file by the learned Assistant Sessions Judge, Sattur in S.C.No.45 of 2023.

3. The case of the prosecution is that on 21.12.2022, at about 08:35 a.m., when the defacto complainant, who is a teacher, was riding her two-wheeler to the school, the petitioner and other accused persons came on a two-wheeler bearing registration No.TN-59-CK-9996 and snatched 1½ sovereigns of a gold chain from her. The petitioner was also found in possession of 700 gm of ganja. Hence, the complaint.

4. Mr.S.Poornachandran, learned counsel appearing for the petitioner, submits that this Court has already granted interim bail to the petitioner in this Criminal Original Petition on 27.01.2025, considering the medical condition of the petitioner,



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and that the petitioner is still undergoing treatment. He further submits that the case is now posted for the examination of witnesses, and that he is ready to abide by any conditions that may be imposed by this Court. He prays for granting bail to the petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-police, submits that the petitioner is now stable, and if bail is granted, he may abscond and delay the trial proceedings. He further submits that there are 21 previous cases against the petitioner, and that the present case is posted for framing of charges. Therefore, he vehemently opposes to grant bail to the petitioner.

6. Heard on both sides. This Court has perused the records.

7. The petitioner has permanent residence and therefore, there is less possibility of absconding. Considering the same and also considering the facts that the petitioner is still taking treatment and the interim bail has already been granted by this Court on 27.01.2025, the said interim bail already granted by this Court is made absolute subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Assistant Sessions Judge, Sattur. It is



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clear that the learned Assistant Sessions Judge, Sattur may accept the same sureties that were produced for interim bail;

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Assistant Sessions Judge, Sattur shall obtain a copy of any one of identity proofs to ensure their identity;

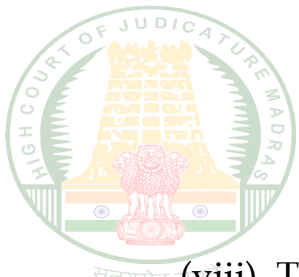
(iii) The petitioner shall furnish his residential address and mobile number to the learned Assistant Sessions Judge, Sattur;

(iv) The petitioner shall appear before the learned Assistant Sessions Judge, Sattur weekly twice i.e., on every Monday and Friday at 10.30 a.m., after discharging from the hospital, until further orders;

(v) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

(vi) The petitioner shall not commit an offence similar to the offence of he is accused, or suspected, of the commission of which he is suspected;

(vii) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;



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(viii) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses;

(ix) The petitioner should not enter into the defacto complainant's residence and her work place until further orders; and

(x) On breach of any of the aforementioned conditions, the learned Assistant Sessions Judge, Sattur is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
14/03/2025

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18/03/2025

Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO

1 THE ASSISTANT SESSIONS JUDGE, SATTUR.

2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.



3 THE INSPECTOR OF POLICE,
SATTUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.711 of 2025
Date :14/03/2025

NBF/SAR/ (18/03/2025) 6P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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