



CRL OP(MD). No.446 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Kaviyarasan

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Puliarai Police Station,
Tenkasi District.
(Crime No. 181/2024.)

... Respondent/ Complainant

For Petitioner : Mr.Prabu.M, Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.181of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial



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custody on 26.11.2024 for offences under Section 309(4) of BNS Act in Crime No.181

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of 2024, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the accused persons forcibly entered the shop of the defacto complainant and robbed cash of Rs.40,000/- from the purse of the defacto complainant. There are totally three accused persons in this case and the petitioner has been arrayed as Accused No.1.

3. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the entire incident was captured in the CCTV footage and there are totally four previous cases against the petitioner. He further submitted that Accused No.2 was formally arrested in this case and Accused No.3 is still absconding. It was also submitted that the two-wheeler in which three accused persons travelled stands in the name of the petitioner.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

5. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner is suffering incarceration from 26.11.2024 and investigation is still pending and the petitioner will be entitled for statutory bail in another couple of days and also taking note of the previous cases against the petitioner, this Court is inclined to grant bail to the petitioner subject to the



following conditions.

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6. Accordingly, the criminal original petition is ordered and 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, Sengottai 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. until further orders.

[c] the petitioner shall not tamper with 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 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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 269 of BNS, 2023.

sd/-
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23/01/2025

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

TSG

To

1.The Judicial Magistrate,
Sengottai.

2.Do through the Chief Judicial Magistrate,
Tenkasi District.

3.The Inspector of Police,
Puliarai Police Station,
Tenkasi District.

4.The Superintendent,
Central Jail, Palayamkottai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

CRL OP(MD) No.446 of 2025

Date :23/01/2025



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