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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.697 of 2025

1. Premkumar

2. Vignesh @ Veera

... Petitioners/ Accused Rank Not Known

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Singampunari Police Station,
Sivagangai District.
Crime No.321/2024

... Respondent/Complainant

For Petitioners : M/s.B.Kalppana,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

C-33B. For Bail in Crime No.321 of 2024 on the file of the respondent police.



ORDER: The Court made the following order :-

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

2. The petitioners/Accused Rank Not Known were arrested and remanded to judicial custody on 18.12.2024 for the alleged offences punishable under Sections 191(2), 191(3), 126(2), 296(b), 115(2), 118(2), 329(4), 351(3) of BNS and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 1998 and Section 3(1) of the Tamil Nadu Public Property (Prevention of Destruction and Loss) Act, 1982 in Crime No.321 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that on 21.11.2024, at about 09:30 p.m., while the defacto complainant and his family members were travelling in a Jeep, the petitioners, along with other accused persons, unlawfully assembled with deadly weapons and intercepted the Jeep. The driver of the car, the uncle of the defacto complainant, entered a house in order to escape from the accused persons. The accused persons also attempted to enter the same house in pursuit of him. At the



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same time, the lady owner of the house protected him. Subsequently, the accused persons abused her using filthy language and attacked her causing injuries. The accused persons also attacked the defacto complainant by using knife and caused injuries to the defacto complainant. Further, the accused persons caused damage to the Jeep in which the defacto complainant and his family members were travelling. Hence, the complaint.

4. Ms.B.Kalppana, the learned counsel appearing for the petitioners, submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that the petitioners have been in judicial custody since 18.12.2024. He therefore prays to grant bail to the petitioners.

5. Mr.K.Sanjai Gandhi, the learned Government Advocate (Crl. side) appearing for the respondent-police, submits that the offences committed by the petitioners are grievous in nature. The petitioners have no previous case. He further submits that the defacto complainant was admitted in the hospital as an in-patient for a period of 20 days. Hence, he prays to dismiss this Criminal Original Petition.

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



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7. The petitioners were arrested on 18.12.2024 and are still in judicial custody.

The petitioners are first offenders. The investigation is almost complete. The petitioners have permanent residences and deep roots in the Society. Therefore, there is less possibility of absconding. Considering the cumulative circumstance and considering the period of incarceration, this Court is inclined to grant bail to the petitioners, however, subject to certain conditions. Accordingly, bail is granted to the petitioners subject to the following conditions:

(i) The petitioners shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) each along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned Judicial Magistrate, Singampunari;

(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 Judicial Magistrate, Singampunari shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioners shall furnish their residential address and mobile number;

(iv) The petitioners shall appear and sign before the respondent-Police daily at

10.30 a.m. until further orders;



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(v) The petitioners shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and

(vi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Singampunari is entitled to pass appropriate orders against the petitioners 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/-
10/02/2025

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10/02/2025
Sub-Assistant Registrar (PA)
Madurai Bench of Madras High Court,
Madurai - 625 023.

trp
TO

1 THE JUDICIAL MAGISTRATE
SINGAMPUNARI.



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2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE,
SINGAMPUNARI POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.B.KALPANA, Advocate (SR-1549[I] dated 10/02/2025)

ORDER
IN

CRL OP(MD) No.697 of 2025
Date :10/02/2025

ES/SAR /10.02.2025/ 6P/7C

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