



CRL OP(MD). No.1434 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.1434 of 2025

Madeswaran

... Petitioner/ Accused Rank No.3

Vs

The Inspector of Police,
Madhagupatti Police Station,
Sivagangai District.
Crime No. 279/2024.

... Respondent/Complainant

For Petitioner : Mr.T.Dineshpandi,

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 279 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 24.11.2024 for the offences under Sections 331(4) and 305(a) of BNS (hereinafter referred to as new penal code) in Crime No.279 of 2024 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that A1 to A3 trespassed into the house of the defacto complainant and committed robbery of 26 Kg of Silver articles worth more than a sum of Rs.6 Lakhs. Thereafter, the silver articles were handed over to A4 to A5, who converted into ingots. There are totally five accused persons in this case and the petitioner has been arrayed as A3.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that all the accused persons were arrested in this case and 9 Kg of silver was able to be seized and cash to the tune of Rs.2 Lakhs was able to be seized. He further submitted that a sum of Rs.10,000/- was seized from the petitioner and there is one previous case against the petitioner for IPC offence. It was also brought to the notice of this Court that the investigation has been completed in this case.

4. Heard the learned Counsel appearing on either side.

5. Taking into consideration the facts and circumstances of the case and considering the fact that this petitioner has already suffered incarceration from 24.11.2024 and the investigation has already been completed and A4 and A5 were also enlarged on bail by this Court in Crl.O.P(MD)Nos.1128 and 936 of 2025, by order dated 22.01.2025 and 17.01.2025 respectively and also taking note of the previous case 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 No.II, Sivagangai, 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 every Monday and Friday at 10.30 a.m till the receipt of summons from the trial Court after the police report is taken cognizance and thereafter appear before the trial Court during every hearing date without fail.

[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 BNS 2023.

sd/-

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27/01/2025

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

LR

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, SIVAGANGAI.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 THE OFFICER INCHARGE, SUB JAIL, RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
- 4 THE INSPECTOR OF POLICE, MADHAGUPATTI POLICE STATION,
SIVAGANGAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.1434 of 2025

Date :27/01/2025

RS/IT/SAR-(27.01.2025) 4P 6C

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