



CRL OP(MD). No.1580 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 07.02.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.1580 of 2025

Sakthivel

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,  
Rep. by the Inspector of Police,  
Sivagangai Taluk Police Station,  
Sivagangai District.  
Crime No.14 of 2025

... Respondent/ Complainant

For Petitioner : Mr.A.Mohan

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For bail in Crime No.14 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 24.01.2025 under

Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.



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2. The petitioner/A1 was arrested and remanded to judicial custody on 11.01.2025 for the alleged offences punishable under Sections 310(4) and 310(5) of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 25(1A) of Arms Act, 1959 in Crime No.14 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 11.01.2025, at 12:30 p.m., upon receiving secret information, the respondent-police went to the location and noticed that the petitioner and five others armed with deadly weapons, had conspired and attempted to commit dacoity at Panaiyur Co-operative Society. Hence the case.

4. Mr.A.Mohan, the learned counsel appearing for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been in judicial custody since 11.01.2025. He therefore prays to grant bail to the petitioner.

5. Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent-police, submits that the petitioner has eight previous cases. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner was arrested on 11.01.2025 and has been in judicial custody since then. Considering the nature of offences alleged and also considering the manner of the offence said to have been committed by the petitioner, this Court is



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inclined to grant bail to the petitioner, however, subject to certain conditions.

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Accordingly, bail is granted to the petitioner 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 Judicial Magistrate No.II, Sivagangai;

(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 No.II, Sivagangai 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;

(iv) The petitioner shall appear and sign before the learned Judicial Magistrate No.II, Sivagangai, weekly twice i.e., on Monday and Friday at 10.30 a.m., for a period of six weeks. Thereafter, the petitioner shall appear before the respondent police as and when required for interrogation;

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

(vi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.II, Sivagangai is entitled to pass appropriate orders against the



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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/-  
07/02/2025

/ TRUE COPY /

07/02/2025  
Sub-Assistant Registrar  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

MBI  
TO

1 THE JUDICIAL MAGISTRATE NO.II,  
SIVAGANGAI.

2 DO THROUGH THE CHIEF JUDICIAL  
MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE OFFICER INCHARGE,  
DISTRICT JAIL, THENI.

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

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



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ORDER

IN

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Date :07/02/2025

SA/SAR. /07.02.2025/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.