



CRL OP(MD). No.1723 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1. Arunpandian,
S/o Ramachandran,
Thaniyamangalam Village,
Melur Taluk,
Madurai District.

2. Seenivasan @ Srinivasan,
S/o Sathaiya,
Sathamangalam Village,
Melur Taluk,
Madurai District..

... Petitioners/ Accused Nos. 3 & 5

Vs

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

... Respondent/Complainant

For Petitioner : Mr.B.Santhanam Rajesh Kumar,
Advocate.

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.



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ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 27.01.2025 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioners / Accused Nos.3 and 5 were arrested and remanded to judicial custody on 11.01.2025 for the alleged offence punishable under Sections 310 (4), 310(5) of BNS and 25(1A) of the Arms Act, in Crime No.14 of 2025 on the file of the respondent police.

3. The case of the prosecution is that on receiving the secret information, on 11.01.2025 at 12.30 am, the respondent Police conducted a patrolling duty near Keelakulam Kanmoi Karai and at that time, the petitioners herein were planning to commit dacoity at Panaiyur Co-operative Society with deadly weapons. The police enquired the accused persons and found the weapons in the car, which was kept for decoity. Hence the complaint.

4. Mr.B.Santhanam Rajesh kumar, learned counsel appearing for the petitioners, submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He would further submit that the petitioners have been in judicial custody from 11.01.2025 and pray for granting bail to the petitioner.



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5. Per contra, Mr.R. Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent police, submitted that totally there are six accused persons involved in this case and the petitioners herein have been arrayed as A3 and A5 and they have 9 and 5 previous cases respectively. He would further submit that investigation in this case has been already been completed and the charge sheet was filed before the concerned Court and pray for dismissal of this petition.

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

7. The petitioners were arrested on 11.01.2025 and they are in incarceration since 11.01.2025. On perusing the records, it reveals the fact that the petitioners have permanent residence. Hence, there is less possibility of absconding.

8. Considering the facts and circumstances of the case and also considering the fact that investigation in this case has already been completed and the charge sheet was filed before the concerned Court, 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 No.2, Sivagangai, Sivagangai District.



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(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 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 concerned Judicial Magistrate Court daily at 10.30 a.m., until further orders;.

(v) The petitioners 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 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].

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

sd/-
05/02/2025

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05/02/2025

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



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TO சென்ட்ரல்

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1 THE JUDICIAL MAGISTRATE NO.2, SIVAGANGAI.

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

3 THE SUPERINTENDENT, DISTRICT PRISON, THENI.

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

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

ORDER
IN

CRL OP(MD) No.1723 of 2025

Date :05/02/2025

RS/IT/SAR-(05.02.2025) 5P 6C

Madurai Bench of Madras High Court is issuing
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