



CRL.O.P.(MD)No.1776 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

[Criminal Jurisdiction]

Date : 30.01.2025

PRESENT

THE HON`BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.1776 of 2025

Balamurugan

... Petitioner/ Accused

Vs

State of Tamil Nadu,
Rep. by The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
(Crime No.438 of 2024)

... Respondent/ Complainant

For Petitioner : M/s.M.P.Roniga,
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.438 of 2024 on the file of the respondent Police.



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ORDER: The Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 22.12.2024 for the alleged offence under Section 25(1A) of Arms Act, in Crime No.438 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was threatening the general public by showing dangerous weapon.

3. The learned Additional Public Prosecutor, on instructions, submitted that there are 9 previous cases against the petitioner and that the petitioner is a rowdy element. The learned Additional Public Prosecutor further submitted that the petitioner was arrested and remanded to judicial custody only on 22.12.2024, and therefore, vehemently opposed the grant of bail to the petitioner.

4. The learned counsel for the petitioner submitted that a false case has been foisted against the petitioner.

5. Heard the learned counsel on either side and perused the material records of the case.

6. Taking into consideration the facts and circumstances of the case and considering the manner in which the prosecution has projected this case and taking note of the previous cases pending against the petitioner and also considering the fact that the petitioner has suffered incarceration from 22.12.2024, this Court is inclined to



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grant bail to the petitioner subject to the following conditions:

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7. Accordingly, the petitioner is ordered to be released on bail on his 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 appear before the learned Judicial Magistrate No.II, Sivagangai, on every Monday, Wednesday, and Friday at 10.30 a.m., until further orders, except on those days when the petitioner has to appear before the court in other cases.

[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



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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 Section 269 of BNS, 2023.

sd/-
30/01/2025

/ TRUE COPY /

30/01/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

JEN
TO

1 THE JUDICIAL MAGISTRATE NO.II,
SIVAGANGAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.

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

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

<https://www.mhc.tn.gov.in/judis>



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+1 CC to M/s.M.P.RONIGA, Advocate (SR-1093[I] dated 30/01/2025)

ORDER
IN
CRL OP(MD) No.1776 of 2025
Date :30/01/2025

SA/SA/SAR. /30.01.2025/5P/7C

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