



CRL OP(MD). No.1913 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. Maruthupandiayan,
S/o. Karuppaiya,
No. 6-7, North Street,
Perumalpatti,
Ambathurai, Dindigul District.

2. Palpandian,
S/o. Karuppaiya,
No. 6-7, North Street,
Perumalpatti,
Ambathurai,
Dindigul District

... Petitioners/ A1 and A2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Chinnalapatty Police Station,
Dindigul District.
Crime No. 19/2025.

... Respondent/Complainant

For Petitioners : Mr.R.Balamuruganantham,
Advocate.

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



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PETITION FOR BAIL Under Sec.483 of BNSS

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PRAYER :-

For bail in Crime No. 19 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 28.01.2025 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioners / Accused Nos.1 and 2 were arrested and remanded to judicial custody on 12.01.2025 for the alleged offences punishable under Sections 296 (b), 132, 281, 125(a), 121(1), 351(3) of BNS and Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss), Act, 1992, in Crime No.19 of 2025 on the file of the respondent police.

3. The defacto complainant is the police constable Grade-I. The case of the prosecution is that on 11.01.2025 at about 10.15 p.m., when the police officials were on patrolling duty, the petitioners herein travelling in the vehicle came in a rash and negligent manner. When the police officials intercepted them, they dashed against the two wheeler of the defacto complainant and police, Electricity Board post and also abused the police officials in filthy language and threatened with dire consequences. They were later admitted to the hospital and also abused the police officials in filthy language. Hence the complaint.



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4. Mr.R.Balamuruganantham, 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 12.01.2025 and prays for granting bail to the petitioner.

5. Per contra, Mr.R. Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioners herein are brothers and there are no previous cases against them and the damage caused is worth about Rs.30,000/-. He would further submit that the investigation of the case is still pending and hence, prayed for dismissal of this petition.

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

7. The petitioners were arrested on 12.01.2025 and they have been in incarceration since 12.01.2025. On perusing the records, it reveals the fact that the petitioners have permanent residence and deep roots in the society. Hence, there is less possibility of absconding. Considering the nature of offence and with a view to give one more opportunity to reform themselves, 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



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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 District Munsif-Cum-Judicial Magistrate, Aathoor, Dindigul District.

(ii) Each of the petitioners shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each to the credit of Crime No.19 of 2025 on the file of the learned District Munsif Cum Judicial Magistrate, Aathoor, Dindigul District without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties. On such deposit, the said Magistrate is directed to deposit the said amount in any one of the Nationalised Banks in a fixed deposit scheme for a period of one year and thereafter, renew the same till the conclusion of trial;

(iii) 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 District Munsif cum Judicial Magistrate, Aathoor shall obtain a copy of any one of identity proofs to ensure their identity;

(iv) The petitioners shall furnish his residence address and mobile number:

(v) The petitioners shall appear and sign before the District Munsif cum Judicial Magistrate Court, Aathoor daily at 10.30 a.m., until further orders;

(vi) The petitioners shall not, directly or indirectly, cause any threat to the



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defacto complainant and witnesses and shall not tamper the evidence;

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(vii) 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].

8. 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.

TRP
TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, AATHOOR,
DINDIGUL DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.

3 THE OFFICER INCHARGE, DISTRICT PRISON, DINDIGUL.

4 THE INSPECTOR OF POLICE, CHINNALAPATTY POLICE STATION,
DINDIGUL DISTRICT.

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



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ORDER

IN

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Date :05/02/2025

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

Madurai Bench of Madras High Court is issuing
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