



CRL OP(MD). No.2116 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/02/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2116 of 2025

Ponnumani

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli District.
(Crime No. 18 of 2025)

... Respondent/Complainant

For Petitioner : Mr.M.Jegadeesha Pandian,
Advocate

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

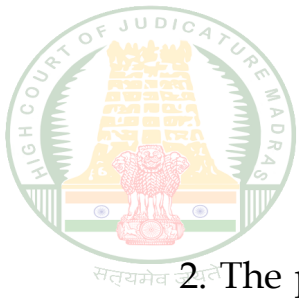
PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 18 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 30.01.2025 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.



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2. The petitioner/Sole Accused was arrested and remanded to judicial custody on 08.01.2025 for the alleged offences punishable under Sections 309(4) and 311 of BNS, 2023 in Crime No.18 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 08.01.2025, while the de facto complainant was standing near Thalaiyuthu Bazar, the petitioner herein, after showing a knife, took a sum of Rs.3,000/- from the de facto complainant's pocket and attempted to snatch his mobile phone. Hence, the complaint.

4. Mr.M.Jegadeesha Pandian, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offences and a false case has been foisted against the petitioner. He further submits that only with a view to booking the case under the Tamil Nadu Prevention of Dangerous Activities Act, 1982 (Act No. 14 of 1982), the case has been registered against the petitioner herein. He further submits that the petitioner has been in judicial custody since 08.01.2025 and he is ready to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays for granting bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. side) appearing for the respondent-police, submits that there are eleven previous cases pending against the petitioner. Among the eleven cases, four cases were registered for offences punishable under Section 307 of the IPC, and one case was registered for



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an offence punishable under the SC/ST Act. He further submits that if the petitioner is released on bail, he may cause threat to the defacto complainant and the witnesses.

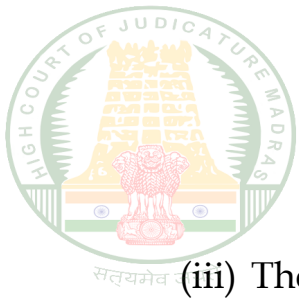
Hence, he prays for dismissal of this petition.

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

7. The petitioner was arrested on 08.01.2025, and he has been in incarceration since 08.01.2025. On perusing the records, it reveals the fact that the petitioner has permanent residence, hence there is less possibility of absconding. Considering the amount allegedly robbed from the defacto complainant i.e., a sum of Rs.3,000/- and with a view to give one more opportunity to reform himself, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) 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.III, Thirunelveli;

(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.III, Thirunelveli, shall obtain a copy of any one of identity proofs to ensure their identity;



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(iii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.III, Tirunelveli;

(iv) The petitioner shall report before the respondent -Police daily at 10.30 and 05.30 p.m., until further orders;

(v) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not try to contact the defacto complainant or her relatives either directly or through any electronic modes and shall not tamper the evidence; and

(vi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.III, Thirunelveli 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/-
10/02/2025

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10/02/2025

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



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TO
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1 THE JUDICIAL MAGISTRATE NO.III, TIRUNELVELI

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

3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI.

4 THE INSPECTOR OF POLICE, THALAIYUTHU POLICE STATION,
TIRUNELVELI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.2116 of 2025

Date :10/02/2025

RS/IT/SAR-(10.02.2025) 5P 6C

Madurai Bench of Madras High Court is issuing
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