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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

CRL OP(MD). No.2231 of 2025

Manivannan,

... Petitioner/Accused No.12

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Vadipatti Police Station,
Madurai District.
Crime No. 152/2024.

... Respondent/Complainant

For Petitioner : Mr.Padmanaban.D,
Advocate.

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



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PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 152 of 2024 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 03.02.2025 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner/ accused No.12 was arrested and remanded to judicial custody on 22.12.2024 for the alleged offences punishable under Sections 387 and 506 (ii) of the Indian Penal Code, 1860 (Act No.45 of 1860) (hereinafter referred to as the 'IPC') @ Sections 120(B), 392, 397, 148 and 149 of IPC in Crime No.152 of 2024 on the file of the respondent police.

3. The case of the prosecution is that on 20.05.2024 at about 09.30 a.m., near Thai School, Vadipatti, the petitioner along with other accused persons, threatened the defacto complainant by showing a knife and wooden log and committed dacoity of a sum of Rs.13,50,000/- and took away the cell phone from the defacto complainant. Thereafter, they fled away from the scene of occurrence. Hence the complaint. There are totally thirteen accused persons in this case and the petitioner has been arrayed as Accused No.12.



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4. Mr.D.Padmanaban, learned counsel appearing for the petitioner, submitted that the petitioner has nothing to do with the alleged offence and he has been falsely implicated in this case. He would further submit that the petitioner has been in judicial custody since 22.12.2024 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.R. Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent police, submitted that a sum of Rs.9,17,500/- has been recovered from the accused persons. He would further submit that there are two previous cases against the petitioner, out of which, one case is in similar nature. He would further submit that the release of the petitioner on bail may result in unforeseen incidents. Hence, he vehemently opposed the grant of bail to the petitioner.

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

7. The petitioner was arrested on 22.12.2024 and he has been in incarceration since 22.12.2024. There are two previous cases pending against the petitioner. A perusal of the records reveals the fact that the petitioner has permanent residence and deep roots in the society. Hence, there is less possibility of absconding. With a view to give one more opportunity to reform himself, this Court is inclined to grant bail to



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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, Vadipatti, Madurai District;

(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, Vadipatti, Madurai District 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, Vadipatti, Madurai District, daily at 10.00 a.m., and 05.00 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 tamper the evidence; and

(vi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Vadipatti, Madurai District, 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/-

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05/02/2025

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

TO

1 THE JUDICIAL MAGISTRATE,
VADIPATTI,
MADURAI DISTRICT.

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

3 THE SUPERINTENDENT,
DISTRICT PRISON,
DINDIGUL.



4 THE INSPECTOR OF POLICE,
VADIPATTI
POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.D.PADMANABAN, Advocate (SR-1383[I] dated 05/02/2025)

ORDER
IN
CRL OP(MD) No.2231 of 2025
Date :05/02/2025

NBF/ (05/02/2025) 6P / 7C
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