



CRL OP(MD). No.2244 of 2025

WEB COPY

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.2244 of 2025

Vincy Varghese @ Vincy,

... Petitioner/ A1

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Pettai Police Station,
Tirunelveli District.
In Crime No. 246 of 2024.

... Respondent/Complainant

For Petitioner : Mr.C.Venkatesh,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 246 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) praying to grant



CRL OP(MD). No.2244 of 2025

WEB COPY

2. The petitioner/ Accused No.1 was arrested and remanded to judicial custody on 23.11.2024 for the alleged offences punishable under Sections 305, 331(3) of BNS, 2023 @ 305, 317(2), 331(2) and 49 of BNS, 2023 in Crime No.246 of 2024 on the file of the respondent police.

3. The case of the prosecution is that on 06.11.2024, when the defacto complainant was going to work, the petitioner herein and other accused persons broke open the door of the defacto complainant's house and looted 51 gms of Gold jewels and 150 gms of silver total worth Rs.18,50,000/-. Hence the complaint.

4. Mr.C.Venkatesh, learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution and her name has been falsely implicated in this case. He would further submit that the petitioner has been in judicial custody since 23.11.2024 and she has been ready to obey the condition to be imposed by this Court and pray for granting bail to the petitioner.

5. Per contra, Mr.R. Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent police, submitted out of 51 gms of jewels, 47 gms of gold jewels and silver articles were recovered and the remaining 4 gm jewel is yet to be recovered. He would further submit that there is no previous case pending against the petitioner. He would further submit that the investigation of the case is



still pending and hence, he strongly opposed the grant of bail to the petitioner.

WEB COPY

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

7. The petitioner was arrested on 23.11.2024 and she has been in incarceration since 23.11.2024. Considering the nature of offence and also considering the fact that the petitioner is a lady and that a portion of the jewels is recovered and with a view to give one more opportunity to reform herself, 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.V, Thirunelveli district. Among two sureties, one shall be a blood surety;

(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 petitioner shall furnish her residential address and mobile number;

(iv) The petitioner shall appear and sign before the concerned Judicial Magistrate, daily at 10.30 a.m., until further orders;



CRL OP(MD). No.2244 of 2025

WEB COPY

(v) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and

(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

/ TRUE COPY /

05/02/2025

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

TRP
TO

1 THE JUDICIAL MAGISTRATE NO.V, TIRUNELVELI DISTRICT

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

3 THE SUPERINTENDENT, SPECIAL SUB JAIL FOR WOMEN, KOKKIRAKULAM,
PALAYAMKOTTAI, TIRUNELVELI DISTRICT.

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



CRL OP(MD). No.2244 of 2025

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

ORDER
IN

CRL OP(MD) No.2244 of 2025

Date :05/02/2025

RS/IT/SAR-(05.02.2025) 5P 6C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023