



CRL OP(MD). No.2265 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

CRL OP(MD). No.2265 of 2025

1. Anantharaj
2. Prakshraj

... Petitioners/ A1 and A2

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Town East Police Station,
Thanjavur District.
(Crime No. 29 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian, Advocate.
For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 29 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 petitioners on 03.02.2025 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant



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2. The petitioners / accused Nos.1 and 2 were arrested and remanded to judicial custody on 28.01.2025 for the alleged offences punishable under Sections 75(1)(c) of TNCP Act and 25(1-A) of Arms Act, in Crime No.29 of 2025 on the file of the respondent police.

3. The case of the prosecution is that on 28.01.2025, the petitioners herein were found in possession of deadly weapons, especially of 79 cm sickle, with the intent to threaten the public and demand money. Hence the complaint.

4. Mr.R.L.Dhilipan Pandian, 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 28.01.2025 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 that the 1st petitioner herein is having has 23 previous cases and the 2nd petitioner has 1 one previous case in similar nature of offence and the investigation of the case is still pending. He would further submit that if the petitioners are released on bail, they will commit the similar nature of offence and hence, pray for dismissal of this petition.

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



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7. The petitioners were arrested on 28.01.2025 and they have been in incarceration since 28.01.2025. Considering the fact that the first petitioner has 19 previous cases in similar nature, this Court is not inclined to grant bail to the 1st petitioner / A1. Accordingly, this Criminal Original Petition is dismissed as against the first petitioner / A1.

8. As far as the 2nd petitioner is concerned, he has a 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 himself, this Court is inclined to grant bail to the 2nd petitioner, however, subject to certain conditions. Accordingly, bail is granted to the 2nd petitioner subject to the following conditions:

(i) The 2nd 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.I, Thanjavur, Thanjavur District.

(ii) The sureties shall affix his 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.I, Thanjavur, Thanjavur District shall obtain a copy of any one of identity proofs to ensure his identity;



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(iii) The 2nd petitioner shall furnish his residence address and mobile number:

(iv) The 2nd petitioner shall appear and sign before the respondent Police daily at 10.30 a.m., until further orders;

(v) The 2nd petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence;

(vi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate is entitled to pass appropriate orders against the 2nd 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].

9. Accordingly, this Criminal Original Petition is partly 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



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TO

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1 THE JUDICIAL MAGISTRATE NO.I, THANJAVUR, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE, DISTRICT PRISON, THANJAVUR.

4 THE INSPECTOR OF POLICE, TOWN EAST POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.2265 of 2025

Date :05/02/2025

RS/IT/SAR-(05.02.2025) 5P 6C

Madurai Bench of Madras High Court is issuing
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