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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.2499 of 2025

1. Ponnaiya
2. Raman
3. Palanisamy

... Petitioners/ Accused Nos.1 to 3

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Keeranur Police Station,
Pudukottai District.
(Cr. No. 20 of 2025)

... Respondent/Complainant

For Petitioners : Ms.A.Banumathy,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS



WH PRAYER:-

C-8B. For Bail in Crime No.20 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 06.02.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioners/ A1 to A3 were arrested and remanded to judicial custody on 20.01.2025 for the alleged offences punishable under Sections 296(b), 118(1) and 351(3) of BNS @ 296(b), 351(3), 115(2) and 109 of BNS in Crime No.20 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that due to a pathway dispute, the petitioners herein attacked the defacto complainant's husband with a wooden log and an aruval, causing grievous injuries, abused him in filthy language, and also criminally intimidated him. Hence, complaint.



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4. Ms.A.Banumathy, the learned counsel appearing for the petitioners, submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that the petitioners have been in judicial custody since 20.01.2025. He therefore prays to grant bail to the petitioners.

5. Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent-police, submits that the offence committed by the petitioners is grievous in nature. He further submits the injured were admitted in the hospital on 19.01.2025 and discharged on 21.01.2025. The petitioners have no previous case. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. The petitioners were arrested on 20.01.2025 and are still in judicial custody. The petitioners are first offenders. The investigation is almost complete. The petitioners have permanent residences and deep roots in the Society. Therefore, there is less possibility of absconding. Considering the cumulative circumstance and considering the period of incarceration, this Court is inclined to grant bail to the



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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 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 Judicial Magistrate, Keeranur, Pudukkottai 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, Keeranur, Pudukkottai District shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioners shall furnish their residential address and mobile number;

(iv) The petitioners shall appear and sign before the learned Judicial Magistrate, Keeranur, Pudukkottai District on all working days at 10.30 am until further orders;

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



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(vi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Keeranur, Pudukkottai District is entitled to pass appropriate orders against the petitioners 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

/ TRUE COPY /

10/02/2025
Sub-Assistant Registrar (PA)
Madurai Bench of Madras High Court,
Madurai - 625 023.

trp
TO

1 THE JUDICIAL MAGISTRATE,
KEERANUR, PUDUKKOTTAI DISTRICT.

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



3 THE OFFICER INCHARGE,
DISTRICT JAIL, PUDUKKOTTAI.

4 THE INSPECTOR OF POLICE,
KEERANUR POLICE STATION,
PUDUKOTTAI DISTRICT.

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

+1 CC to M/s.A.BANUMATHY, Advocate (SR-1518[I] dated 10/02/2025)

ORDER
IN
CRL OP(MD) No.2499 of 2025
Date :10/02/2025

ES/SAR /10.02.2025/ 6P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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