



CRL OP(MD) No.2815 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Appadurai

... Petitioner/ Sole Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Sankarankovil Town Police Station,
Tenkasi District.
Crime No. 92/2025

... Respondent/Complainant

For Petitioner : Mr.KA.Raamakrishnan
Advocate

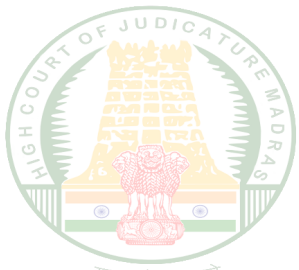
For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl. Side)

For intervener : Mr.R.Balakrishnan, Advocate

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.92 of 2025 on the file of the Respondent-Police.



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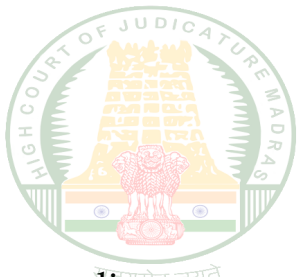
ORDER : The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 12.02.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner/sole accused was arrested and remanded to judicial custody on 31.01.2025 for the alleged offences punishable under Sections 296(b), 326 and 351 (3) of BNS, in Crime No.92 of 2025, on the file of the respondent-police.

3. The case of the prosecution is that there was vandalism in both political and business matters between the defacto complainant, who is an advocate, and the petitioner/sole accused. Before the defacto complainant opened his advocate office, the petitioner had been continuously threatening the owner of the building. After the advocate office was opened also, the petitioner would often stare at the defacto complainant and his son. On 30.01.2025, at 10:40 p.m., after the defacto complainant had closed the office, the petitioner came to the location, poured petrol on the name-board and the flex in front of the office, set it on fire, and caused damage amounting to Rs.5,000/-. On witnessing this, the defacto complainant returned to the office. At that time, the petitioner abused the defacto complainant and threatened him with



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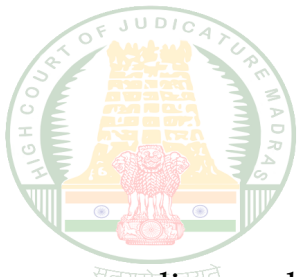
dire consequences. Hence, the case.

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4. Mr.KA.Raamakrishnan, the learned counsel appearing for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and that a false has been foisted against the petitioner. He further submits that the petitioner has been in judicial custody since 31.01.2025. He therefore prays to grant bail to the petitioner.

5. Mr.R.Balakrishnan, learned counsel for the intervener, submits that with the intention to cause damage and injury to the defacto complainant and his son, the petitioner purportedly set fire to the name-board and flex in front of the advocate's office, causing damage amounting to Rs.5,000/- when the office was closed. He further submits that if the petitioner is enlarged on bail, he will cause threat to the defacto complainant and his son, as the dispute persists to this day. He prays for the dismissal of this petition.

6. Mr.K.Sanjai Gandhi, the learned Government Advocate (Crl. side) appearing for the respondent-police, submits that the that there are 13 previous cases pending against the petitioner. He further submits that the investigation of the case is still



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pending and therefore, if the petitioner is enlarged on bail, he will cause threat to the defacto complainant, his son and also to the witnesses, and tamper with evidence. Hence, he prays to dismiss this Criminal Original Petition.

7. Heard on both sides. This Court has perused the records including the First Information Report.

8. The petitioner was arrested on 31.01.2025 and is still in judicial custody. The petitioner has permanent residence. Therefore, there is a less possibility of absconding. Considering the same and also considering the nature of offence and the period of incarceration and with a view to give one more opportunity to the petitioner 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.20,000/- (Rupees Twenty Thousand only) along with two sureties each for a like sum of Rs.20,000/- (Rupees Twenty Thousand only) to the satisfaction of the learned Judicial Magistrate, Sankarankovil, Thenksi District;



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(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 the learned learned Judicial Magistrate, Sankarankovil, Thenksi District shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

(iv) The petitioner shall not commit an offence similar to the offence of he is accused, or suspected, of the commission of which he is suspected;

(v) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(vi) The petitioner shall furnish his residential address and mobile number to the concerned Judicial Magistrate;



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(vii) The petitioner shall stay at Trichy and report before the Inspector of Police, Cantonment Police Station, Trichy daily at 10.00 a.m. and 5.00 pm until further orders;

(viii) The petitioner shall not try to contact the defacto complainant either directly or through any electronic mode;

(ix) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant, his son and witnesses;

(x) The petitioner shall not enter into the defacto complainant's house or his son's advocate office or any other work place; and

(xi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Sankarankovil, Thenkasi 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].



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9. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

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Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. THE JUDICIAL MAGISTRATE, SANKARANKOVIL, THENKASI DISTRICT;
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TENKASI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.
4. THE INSPECTOR OF POLICE,
SANKARANKOVIL TOWN POLICE STATION,
TENKASI DISTRICT.
5. THE INSPECTOR OF POLICE,
CANTONMENT POLICE STATION, TRICHY.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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+1 CC to M/s.KA.RAAMAKRISHNAN, Advocate (SR-1964[I] dated 21/02/2025)

ORDER
IN
CRL OP(MD) No.2815 of 2025
Date :21/02/2025

RK (21/02/2025) 8P / 8C

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