



CRL OP(MD). No.2856 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2856 of 2025

Pradeepraj

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Nadukaveri Police Station,
Thanjavur District.
(Crime No. 36 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.36 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 petitioner on 13.02.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant



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2. The petitioner/Accused No.1 was arrested and remanded to judicial custody on 03.02.2025 for the offences punishable under Sections 117(2), 126(2), 296(b), 351(2) of the Bharatiya Nyaya Sanhita, (BNS), 2023 r/w 25(1-A) of the Arms Act, in Crime No.36 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 03.02.2025, at about 04:00 p.m., when the defacto complainant, along with his wife, was riding his two-wheeler on Ammapettai Main Road, the accused persons were threatening the driver of a lorry. On seeing this, the petitioner was on the left side. However, the accused also intercepted the defacto complainant, demanded a sum of Rs.2,000/- from him by showing a sickle, damaged the front teeth of the defacto complainant with their hands, and abused him using filthy language. Hence, the complaint.

4. Mr. R.L.Dhilipan Pandian, 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 the petitioner has been falsely implicated in this case. He further submits that the petitioner has been in judicial custody since 03.02.2025. He therefore prays to grant bail to the petitioner.

5. Mr. R. Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-police, submits that the alleged sickle has been recovered from the accused persons. He further submits that the defacto complainant has been treated as



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an outpatient. He also submits that there are two previous cases against the petitioner. Hence, he vehemently opposes the grant of bail to the petitioner.

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

7. The petitioner has permanent residence and deep roots in the society. Therefore, there is less possibility of absconding. Considering the same and also considering the fact that the injured has been treated as an outpatient 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, Thiruvaiyaru, Thanjavur 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, Thiruvaiyaru, Thanjavur 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;



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(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 learned Judicial Magistrate, Thiruvaiyaru, Thanjavur District;

(vii) The petitioner shall stay at Trichy and appear and sign before the Inspector of Police, Cantonment Police Station, Trichy daily at 10.30 a.m., and 05.00 p.m., until further orders;

(viii) The petitioner should not enter into the village of the defacto complainant i.e., Papanasam Taluk until further order; and

(ix) On breach of any of the aforementioned conditions, learned learned Judicial Magistrate, Thiruvaiyaru, Thanjavur, 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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8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
17/02/2025
/ TRUE COPY /

17/02/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

1 THE JUDICIAL MAGISTRATE,
THIRUVAIYARU, THANJAVUR DISTRICT

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

3 THE OFFICER INCHARGE,
DISTRICT PRISON, THANJAVUR,
THANJAVUR DISTRICT.

4 THE INSPECTOR OF POLICE,
NADUKAVERI POLICE STATION,
THANJAVUR DISTRICT.

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

COPY TO

THE INSPECTOR OF POLICE
CANTONMENT POLICE STATION,
TRICHY.



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ORDER

IN

CRL OP(MD) No.2856 of 2025

Date :17/02/2025

RS/IT/SAR-(17.02.2025) 6P 7C

Madurai Bench of Madras High Court is issuing
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