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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD) No.3585 of 2025

Mugesh Pandi @ Modi

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
Crime No. 602/2024

... Respondent/Complainant

For Petitioner : Mr. B.Rama Moorthi
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For bail in Crime No.602 of 2024 on the file of the Respondent-Police.



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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 24.02.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner/Accused was arrested and remanded to judicial custody on 18.12.2024 for the offence punishable under Section 25(1-A) of Arms Act, in Crime No.602 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that based on secret information, on 18.12.2024, at about 08:45 a.m., when the defacto complainant, Sub-Inspector of Police, along with his team, was on surveillance near a bus stop at Udaiyarvalasi, they found that the petitioner was threatening the public by showing a sword. Hence, case.

4. Mr. B. Ramamoorthi, the learned counsel appearing for the petitioner, submits that a false case has been foisted against the petitioner and the petitioner did not commit any offence as alleged by the prosecution. He further submits that the



petitioner has been in judicial custody since 18.12.2024. He however submits that the
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petitioner is ready to abide by any conditions to be imposed by this Court. He
therefore prays to grant bail to the petitioner.

5. Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the investigation in this case has already been concluded and the charge sheet filed and the same was taken on file as PRC.No.4 of 2025, on the file of the Judicial Magistrate No.II, Ramanathapuram. He further submits that, if the petitioner is enlarged on bail, he will cause threat to the defacto complainant and witnesses. Hence, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner was arrested and remanded to judicial custody on 18.12.2024. The petitioner has permanent residence and therefore, there is less possibility of absconding. Considering the same and also considering the fact that the investigation in this case has already been concluded and the charge sheet was filed before the concerned Court and also considering the period of incarceration and with a view to



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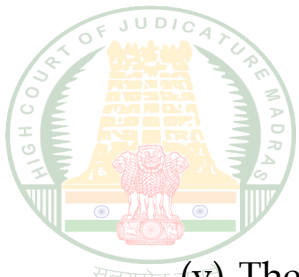
give an opportunity to the petitioner to reform himself, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.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.II, Ramanathapuram;

(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 Judicial Magistrate No.II, Ramanathapuram, 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;



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(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 also not directly or indirectly cause threat to the defacto complainant and witnesses;

(vii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.II, Ramanathapuram;

(viii) The petitioner shall stay at Madurai and appear and sign before the Othakadai Police Station daily at 10.30 a.m., and 05.00 p.m., until further orders; and

(ix) On breach of any of the aforementioned conditions, learned the learned Judicial Magistrate No.II, Ramanathapuram, 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/-
26/02/2025

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26/02/2025
Sub-Assistant Registrar(CS-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

trp

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
RAMANATHAPURAM
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE OFFICER INCHARGE
DISTRICT JAIL, RAMANATHAPURAM.
- 4 THE INSPECTOR OF POLICE,
KENIKKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



WH COPY TO: Y

THE INSPECTOR OF POLICE
OTHAKADAI POLICE STATION, MADURAI.

ORDER
IN
CRL OP(MD) No.3585 of 2025
Date :26/02/2025

ES/SAR /26.02.2025/7P/7C

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