



CRL OP(MD). No.3041 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.3041 of 2025

Kanagaraj,
S/o.Karupusamy,
7A/155, Indira Nagar,
Thalamuthunagar,
Siluvaipatti Post,
Thoothukudi District.

... Petitioner/ Accused No.6

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
Crime No.34/2025.

... Respondent/ Complainant

For Petitioner : Mr.S.Vishnuvardhan,
Advocate.

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



CRL OP(MD). No.3041 of 2025

WEB COPY

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.34/2025 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 14.02.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner/ Accused No.6 was arrested and remanded to judicial custody on 01.02.2025 for the offences punishable under Sections 310(4) and 310(5) of BNS, 2023 and Section 25(1A) of Arms Act, 1959, in Crime No.34 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 01.02.2025, at about 11:30 a.m., upon receiving secret information that six persons, along with their vehicle (Toyota Innova Crysta), had gathered with weapons near the graveyard in Thiruvengadam Nagar, the respondent-police raided the spot. At that time, the police found the petitioner herein and the other accused persons sitting on the ground to the right side of the



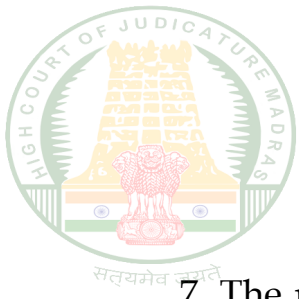
CRL OP(MD). No.3041 of 2025

vehicle, planning to wear masks and commit a robbery of hawala money from an approaching car. The police were watching them while hiding. On seeing the police, they tried to flee. However, the Police arrested them. Hence the case.

4. Mr.S.Vishnuvardhan, the learned counsel appearing for the petitioner, submits that the petitioner has been falsely implicated in this case 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 01.02.2025. He further submits that this Court has already granted bail to Accused Nos.1 and 2 in CrI.O.P.(MD).No.2611 of 2025 on 20.02.2025. He therefore prays to grant bail to the petitioner herein also.

5. Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there are totally seven accused persons in this case and the petitioner has been arrayed as Accused No.6. He further submits that if the petitioner is enlarged on bail, he will commit a similar offence again. Hence, he prays to dismiss this Criminal Original Petition.

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



CRL OP(MD). No.3041 of 2025

7. The petitioner was arrested and remanded to judicial custody on 01.02.2025.

WEB COPY

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 period of incarceration and taking note of the fact that this Court has already granted bail to Accused Nos.1 and 2 in CrI.O.P.(MD).No.2611 of 2025 on 20.02.2025 and the petitioner is standing on the similar footing and with a view to 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, Ilayangudi;

(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, Ilayangudi shall obtain a copy of any one of identity proofs to ensure their identity;



CRL OP(MD). No.3041 of 2025

WEB COPY

(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 learned Judicial Magistrate, Ilayangudi;

(vii) The petitioner shall appear and sign before the respondent-Police daily at 10.00 a.m., until further orders; and

(viii) On breach of any of the aforementioned conditions, learned Judicial



CRL OP(MD). No.3041 of 2025

Magistrate, Ilayangudi, 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].

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

sd/-
24/02/2025

/ TRUE COPY /

24/02/2025

Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

1 THE JUDICIAL MAGISTRATE
ILAYANGUDI

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

3 THE SUPERINTENDENT,
CENTRAL PRISION, MADURAI.

4 THE INSPECTOR OF POLICE,
ELAYANGUDI POLICE STATION,
SIVAGANGAI DISTRICT.



CRL OP(MD). No.3041 of 2025

WEB COPY

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

ORDER
IN
CRL OP(MD) No.3041 of 2025
Date :24/02/2025

SS/SAR- /21/02/2025/ 7P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023