



CRL OP (MD) No.3104 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.3104 of 2025

Ramprakash

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Palanichettypatti Police Station,
Theni District.
Crime No.46 of 2024

... Respondent/ Complainant

For Petitioner : Mr.Veera Raghul, 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.46 of 2024 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 17.02.2025

<https://www.mhc.tn.gov.in/judis>



CRL OP (MD) No.3104 of 2025

under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant
WEB COPY
bail.

2. The petitioner/Accused No.3 was arrested and remanded to judicial custody on 02.12.2024 for the alleged offences punishable under Sections 457 and 380 of Indian Penal Code, 1860, in Crime No.46 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that on 28.01.2024, at around 12:15 a.m., the defacto complainant and his family members locked their house and went to Aranmanaipudhur. At about 9:00 a.m., the defacto complainant's neighbour called and informed him that the door of his house was left open. On hearing this, the defacto complainant rushed back to his house in Palanichettypatti. On entering the house, he noticed that 144 grams of gold jewels, worth about Rs.5,40,000/-, and cash of Rs.1,00,000/- had been stolen. Hence the case.

4. Mr.Veera Raghul, the learned counsel appearing for the petitioner, submits that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that, only, based on the false confession of the co-accused, the respondent-police, without any material evidence, implicated the petitioner as the prime accused in this case. He however



CRL OP (MD) No.3104 of 2025

submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He further submits that the petitioner has been in judicial custody since 02.12.2024. He therefore prays to grant bail to the petitioner.

WEB COPY

5. Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. Side) appearing for the respondent-police, submits that the respondent-police recovered 144 grams of gold jewels from the co-accused person but were unable to recover the amount of Rs.1,00,000/- from the accused persons. He further submits that the petitioner has 34 previous cases, and therefore, if bail is granted to the petitioner, he may commit similar offence and abscond, thereby delaying the trial proceedings. Accordingly, he strongly opposes to grant bail to the petitioner.

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

7. The petitioner has been in jail for more than 80 days in connection with this crime. Considering the fact that 144 gms of gold jewels have been recovered from the co-accused person and considering 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,



CRL OP (MD) No.3104 of 2025

bail is granted to the petitioner subject to the following conditions:

WEB COPY

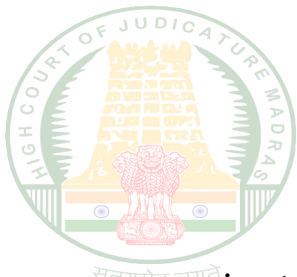
(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate, Theni;

(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, Theni 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 which 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



WEB COPY

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, his family members, and the witnesses;

(vii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Theni;

(viii) The petitioner shall appear and sign before the learned Judicial Magistrate, Theni, on all working days at 10.00 a.m. and 05.00 p.m., until further orders; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Theni 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].



CRL OP (MD) No.3104 of 2025

WEB COPY

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

sd/-
04/03/2025

/ TRUE COPY /

04/03/2025
Sub-Assistant Registrar (AE)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mbi

TO

1.THE JUDICIAL MAGISTRATE,
THENI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.

3.THE OFFICER IN-CHARGE,
VIRUDHUNAGAR DISTRICT PRISON.

4.THE INSPECTOR OF POLICE,
PALANICHETTYPATTI POLICE STATION,
THENI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.3104 of 2025
Date :04/03/2025



CRL OP (MD) No.3104 of 2025

WEB COPY
RK (04/03/2025) 7P / 6C

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