



CRL OP(MD). No.3341 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

CRL OP(MD). No.3341 of 2025

Thangakumar @ Thangam

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep.By, the Inspector of Police,
Thatchanallur Police Station,
Tirunelveli City.
(In Crime No.223 of 2024).

... Respondent/ Complainant

For Petitioner : Mr.J.Mohamed Ibrahim,
Advocate.

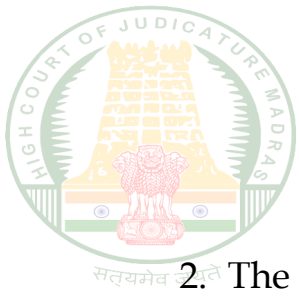
For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec. 483 of BNSS.

PRAYER :- For Bail in Crime No.223 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 19.02.2025
under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant



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2. The petitioner / A2 was arrested and remanded to judicial custody on 03.12.2024, for the alleged offences punishable under Section 304 of BNS, 2023, in Crime No.223 of 2024, on the file of the respondent-police.

3. The case of the prosecution is that on 06.11.2024, at about 10.30 am, when the defacto complainant was standing in front her house, the petitioner herein and other accused persons came there on a bike, under the pretext of asking for directing, snatched away 5 sovereigns of gold chain and fled on the bike. Hence, the case.

4. Mr. J. Mohammed Ibrahim, 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 a false case has been foisted against the petitioner for the statistical purpose. He further submits that the petitioner has been judicial custody since 03.12.2024. Accordingly, he prays to grant bail to this petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. side) appearing for the respondent Police, submits that the petitioner herein has 17 previous cases, which are similar in nature. He further submits that the petitioner is released on bail, he may commit similar type of offence again and cause threat to the defacto complainant and witnesses. Hence, he prays for dismissal of this petition.

6. Heard both sides and perused the records.



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7. The petitioner has 17 previous cases which are similar in nature. In view of the same and the antecedents of the petitioner, it is clear that the petitioner is a habitual offender. In view of the above and the offence, which is alleged to have been committed by the petitioner, this Court is of the considered view that if the bail is granted to the petitioner, he may commit the similar offence and cause threat to the witnesses, thereby delaying the investigation. Hence, this Court is not inclined to grant bail to the petitioner, at this stage.

8. Accordingly, this Criminal Original Petition is dismissed.

sd/-
21/02/2025

/ TRUE COPY /

/03/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO
1 THE INSPECTOR OF POLICE,
THATCHANALLUR POLICE STATION,
TIRUNELVELI CITY.

2 THE OFFICER INCHARGE,
DISTRICT JAIL, PERURANI, THOOTHUKUDI DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.3341 of 2025
Date :21/02/2025

SA/SKN/SAR. /10.03.2025/4P/4C

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