



CRL OP(MD) No.3783 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD) No.3783 of 2025

Kamarudeen,
S/o. Mohamed Sarbudeen,
122/16, Pudumanai Street,
Kattumavadi,
Manamelkudi Taluk,
Pudukottai District.

... Petitioner/Sole Accused

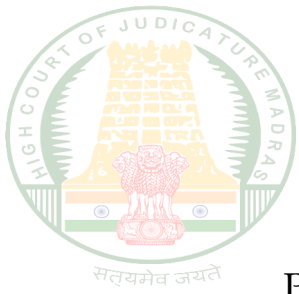
Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Manamelkudi Police Station,
Pudukottai District.
Crime No.29/2025.

... Respondent/Complainant

For Petitioner : Mr.Ameer Hussain.M.J,
Advocate.

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



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PETITION FOR BAIL Under Sec.483 of BNSS

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PRAYER :-

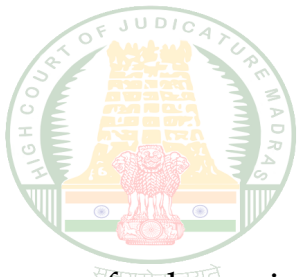
For bail in Crime No. 29 of 2025 on the file of the Respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 26.02.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner/Sole Accused was arrested and remanded to judicial custody on 02.02.2025 for the offences punishable under Sections 352 and 353(2) of BNS, 2023 and Section 25(1A) of the Arms Act, 1959 in Crime No.29 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 02.02.2025, the respondent-police, along with other police personnel, were conducting a vehicle check-up. At that time, they intercepted a two-wheeler bearing Registration No.TN-55-CY-7241, which was being ridden by the petitioner from Kattumavadi to Manamelkudi ECR Road, and enquired him. On enquiry, the respondent-police noticed that the petitioner was in possession



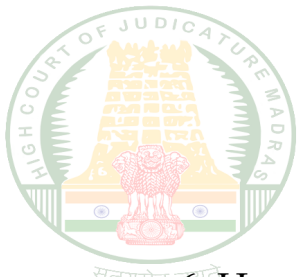
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of a long-sized sword. The allegation against the petitioner is that he used to take photographs while holding the sword in his hands and upload them on social media. Thereafter, the respondent-police seized the alleged deadly weapon, the Vivo mobile phone, and the two-wheeler from the petitioner.

4. Mr.Ameer Hussain.M.J, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence, and a false case has been foisted against the petitioner. He however submits that he is ready to abide by any conditions to be imposed by this Court. He further submits that the petitioner has been in incarceration since 02.02.2025. Therefore, he prays for granting bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-Police, submits that the petitioner, who is working in a grocery shop, was in possession of a long-sized sword. He further submits that there are no previous cases against the petitioner. He further submits that if bail is granted to the petitioner, he will cause a threat to the general public. Accordingly, he prays to dismiss this petition.



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

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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 alleged deadly weapon and vehicle have been seized by the respondent-Police and taking note of the fact that the petitioner is the first offender and considering the age of the petitioner and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant an order of bail to the petitioner, however, subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate, Manamelkudi;

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



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(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, Manamelkudi;

(vii) The petitioner shall appear and sign before the respondent Police daily at 10.30 a.m., until further orders;

(viii) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses; and



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

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

sd/-
28/02/2025

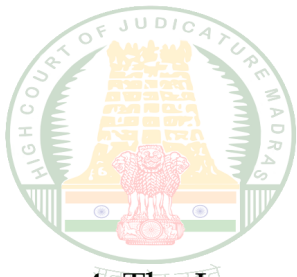
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28/02/2025
Sub-Assistant Registrar (PA-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1. The Judicial Magistrate, Manamelkudi;
2. Do-Through The Chief Judicial Magistrate,
Pudukottai District.
3. The Officer-in-Charge,
Sub Jail, Aranthangi.



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4. The Inspector of Police,
Manamelkudi Police Station,
Pudukottai District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.J.AMEER HUSSAIN, Advocate (SR-2268[I] dated 28/02/2025)

ORDER
IN
CRL OP(MD) No.3783 of 2025
Date :28/02/2025

RK (28/02/2025) 7P / 7C

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