



CRL OP(MD) No.3896 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD) No.3896 of 2025

Murugan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Rameswaram Jetty Police Station,
Ramanathapuram District.
Cr No. 103 of 2024

... Respondent/Complainant

For Petitioner : Mr.D.Balamurugapandi, 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.103 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 27.02.2025 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 30.01.2025 for the offence punishable under Section 326(g) of BNS, 2023, in

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



CRL OP(MD) No.3896 of 2025

Crime No.103 of 2024 on the file of the respondent-police.

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3. The case of the prosecution is that on 29.08.2024, at about 01:00 p.m., due to previous enmity between the petitioner and the defacto complainant, the petitioner threw petrol bombs inside the defacto complainant's house while his wife and daughter were present. At that time, the de facto complainant's wife was standing on the first floor of their house. Hence, the complaint.

4. Mr.D.Balamurugapandi, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence. He further submits that in order to wreck vengeance against the petitioner, the defacto complainant has given a false case against him. 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 30.01.2025 and that he is a married man, aged about 55 years. 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 there is no previous case against the petitioner. He further submits that the alleged occurrence took place on 29.08.2024 and the First Information Report was registered on 02.09.2024. He further submits that the investigation has not yet been completed. He further submits that no one was injured in the said incident. He further submits that if bail is granted to



CRL OP(MD) No.3896 of 2025

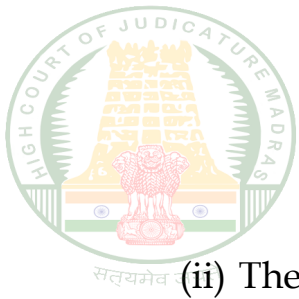
the petitioner, he will cause a threat to the defacto complainant and his family members and thereby, delay the investigation. Accordingly, he prays to dismiss this petition.

6. Heard the learned counsel on either side. This Court has perused the records.

7. This Court specifically put a question to the respondent-Police as to whether the Investigating Agency had collected the petrol bomb and sent it for forensic examination. In response, they stated that they had collected the petrol bomb but had not sent it to the Forensic Science Laboratory.

8. 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 age of the petitioner and taking note of the facts that the alleged petrol bomb has been seized by the respondent-Police and that the petitioner is the first offender 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.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, Rameswaram, Ramanathapuram District;



CRL OP(MD) No.3896 of 2025

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(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, Rameswaram, Ramanathapuram District 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;

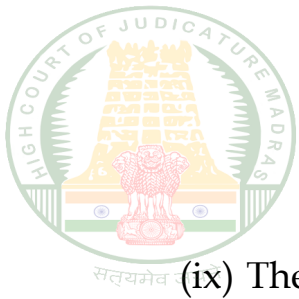
(iv) The petitioner shall not commit an offence similar to the offence of he is accused, or suspected, of the commission of which he is suspected;

(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, Rameswaram, Ramanathapuram District;

(vii) The petitioner shall appear and sign before the respondent-Police daily at 10.30 a.m., and 05.00 until further orders;

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



CRL OP(MD) No.3896 of 2025

WEB COPY

(ix) The petitioner shall not enter into the residence of the defacto complainant (behind Verkodu Iceplant) until further orders; and

(x) On breach of any of the aforementioned conditions, learned Judicial Magistrate, Rameswaram, Ramanathapuram District, 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].

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

sd/-
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03/03/2025

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

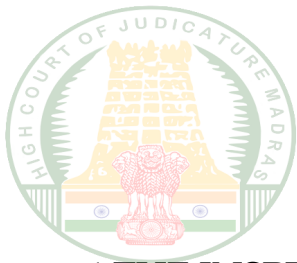
TSG

TO

1 THE JUDICIAL MAGISTRATE, RAMESWARAM,
RAMANATHAPURAM DISTRICT

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

3 THE OFFICER INCHARGE, DISTRICT JAIL, RAMANATHAPURAM.



CRL OP(MD) No.3896 of 2025

4 THE INSPECTOR OF POLICE, RAMESWARAM JETTY POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.D.BALAMURUGAPANDI, Advocate (SR-2313[I] dated 03/03/2025)

ORDER

IN

CRL OP(MD) No.3896 of 2025

Date :03/03/2025

RS/IT/SAR-(03.03.2025) 6P 7C

Madurai Bench of Madras High Court is issuing
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