



CRL OP(MD) No.3897 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.3897 of 2025

J.Nevin Raj,
S/o.John Kennedy,
No.357, Mettupatti,
Dindigul Post,
Dindigul District.

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu
Rep. By The Inspector of Police,
Town South Police Station,
Dindigul District.
Cr No.76 of 2025

... Respondent/Complainant

For Petitioner : Mr.Shankar Ganesh.R,
Advocate.

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



CRL OP(MD) No.3897 of 2025

PETITION FOR BAIL Under Sec.483 of BNSS

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PRAYER :-

For Bail in Crime No.76 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 27.02.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner/ Accused No.3 was arrested and remanded to judicial custody on 06.02.2025 for the offences punishable under Sections 310(4) and 310(5) of the Bharatiya Nyaya Sanhita, (BNS), 2023, in Crime No.76 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 06.02.2025, at about 08:30 a.m., based on secret information, the respondent-Police went to Bharathipuram Tippu Road, Dindigul, where they found five persons who were preparing to commit a dacoity, all of them armed with deadly weapons. The respondent-Police arrested the accused persons and seized a knife, wooden logs, a nylon rope, and one packet of chilli powder from them. There are five accused persons in this case, and the petitioner has been arrayed as Accused No.3. Hence, the case.



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4. Mr.R.Shankar Ganesh, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence. He further submits that the petitioner was arrayed as an accused in Crime No.40 of 2025 for the alleged offences punishable under Sections 296(b), 221, and 351(3) of BNS, 2023 and Section 25(1)(a) of the Arms Act, 1959 on the file of the Inspector of Police, Town South Branch, Dindigul District. In the said case, the petitioner filed Crl.O.P.(MD).No.1430 of 2025 before this Court and the same was allowed on 27.01.2025 (i.e., pre-arrest bail was granted in the said crime number). Due to this, the respondent-Police foisted a false case against this petitioner. He however submits that he is ready to abide by any conditions to be imposed by this Court and he is now 19 years old. He further submits that the petitioner has been in incarceration since 06.02.2025. 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 there are two previous cases against the petitioner. He further submits that if bail is granted to the petitioner, he will commit the similar offence once again, creating a law and order problem in the society. Therefore, he vehemently opposes to grant bail to the petitioner.



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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 age of the petitioner and taking note of 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 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 No.III, Dindigul;

(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 No.III, Dindigul District 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 No.III, Dindigul;

(vii) The petitioner shall appear and sign before the learned Judicial Magistrate No.III, Dindigul on all working days 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 No.III, Dindigul 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/-
03/03/2025

/ TRUE COPY /

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

TSG
TO

1 THE JUDICIAL MAGISTRATE NO.III
DINDIGUL

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

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.



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4 THE INSPECTOR OF POLICE
TOWN SOUTH POLICE STATION,
DINDIGUL DISTRICT

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

+1 CC to M/s.R.SHANKAR GANESH, Advocate (SR-2298[I] dated 03/03/2025)

ORDER
IN
CRL OP(MD) No.3897 of 2025
Date :03/03/2025

SS/SAR- /03/03/2025/ 7P/7C

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