



CRL OP (MD) No.4275 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 19/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1. Sarammal,
W/o.Sasikumar,
Veerappa Ayyanar Kovil Theru,
Mahatma Gandhi Nagar,
Allinagaram,
Theni, Theni District.

2. Sasikumar,
S/o.Thandapani,
Veerappa Ayyanar Kovil Theru,
Mahatma Gandhi Nagar,
Allinagaram, Theni,
Theni District.

3. Kadher Meeran,
S/o.Umarshatha,
D.No.157/53, Thendral Nagar,
1st Street, Unchampatti,
Theni District.

4. Nabisha,
W/o.Umarshatha,
D.No.157/53, Thendral Nagar,
1st Street,Unchampatti,
Theni District.

... Petitioners/ A3 to A6



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Vs

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The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
Crime No.344/2024.

... Respondent/Complainant

For Petitioners : Mr.S.Prabhu,
Advocate.

For Respondent : Mr.R.Meenaksihi Sundaram,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.344/2024 on the file of the respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 05.03.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of bail.

2. The petitioners were arrested and remanded to judicial custody on 12.02.2025 for the offences punishable under Sections 406, 420 of IPC altered into Sections 406, 420, 120B and 109 of IPC in Crime No.344 of 2024 on the file of the respondent-police.



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3. The case of the prosecution is that the defacto complainant's daughter-in-law, viz., Abinaya, lodged a complaint against her husband (the defacto complainant's son) before the Inspector of Police, All Women Police Station, Thirumangalam. During the enquiry, the husband of the said Abinaya handed over 100 sovereigns of gold jewelry to Accused No.1, who was serving as the Inspector of Police at the said station. However, after receiving the jewelry, Accused No.1 failed to return it to either Abinaya or the defacto complainant. Based on the confession of Accused No.1, the petitioners herein have been implicated as Accused Nos. 3 to 6. Hence, the complaint.

4. Mr.S.Prabhu, learned counsel appearing for the petitioners, submits that the petitioners have nothing to do with the alleged offence. He further submits that a false case has been foisted against the petitioners. He however submits that they are ready to abide by any conditions to be imposed by this Court and that Accused No.1 was enlarged on bail. Hence, he prays to grant bail to the petitioners.

5. *Per contra*, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-Police, submits that the investigation is going on, and



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therefore, at this stage, if the petitioners are enlarged on bail, they will threat the defacto complainant and witnesses and thereby delay the investigation. He further submits that some of the jewels have not yet been recovered from the accused persons. Hence, he vehemently opposes to grant bail to the petitioners.

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

7. The petitioners were arrested and have been in judicial custody since 12.02.2025. On perusing the records, it reveals the fact that the petitioners have permanent residence and deep roots in the society and hence, there is less possibility of absconding. Considering the same, and also considering the fact that the prime Accused/Accused No.1 was already enlarged on bail and the fact that no useful purpose would be served by keeping the petitioners in jail any longer, and with a view to give an opportunity to the petitioners to reform themselves, this Court is inclined to grant bail to the petitioners, however, subject to certain conditions. Accordingly, bail is granted to the petitioners subject to the following conditions:

(i) The petitioners shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) each along with two sureties each for a like sum of Rs.25,000/-



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(Rupees Twenty Five Thousand Only) to the satisfaction of the learned Judicial

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Magistrate, Thirumangalam, Madurai District;

(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, Thirumangalam, Madurai District, shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioners shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

(iv) The petitioners shall not commit an offence similar to the offence of which they are accused, or suspected, of the commission of which they are suspected;

(v) The petitioners 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 them from disclosing such facts to the Court or to any police officer or tamper with the evidence;



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(vi) The petitioners shall also not directly or indirectly cause threat to the defacto complainant and the witnesses;

(vii) The petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate, Thirumangalam, Madurai District;

(viii) The petitioners shall appear and sign before the respondent-police daily at 10.30 a.m., until further orders; and

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

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

sd/-
19/03/2025

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19/03/2025

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

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- TO
- 1 THE JUDICIAL MAGISTRATE
THIRUMANGALAM MADURAI
 - 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
 - 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
 - 4 THE INSPECTOR OF POLICE,
THIRUMANGALAM TOWN POLICE STATION,
MADURAI DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.4275 of 2025
Date :19/03/2025

SS/SAR- /19/03/2025/ 7P/6C

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