



CRL OP (MD) No.4728 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.4728 of 2025

Boopathiraja

... Petitioner/ A1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Tamil University Police Station,
Thanjavur District.
Crime No.46 of 2025

... Respondent/Complainant

For Petitioner : Mr.A.Arun Prasad

For Respondent : Mr.K.Sanjai Gandhi,

Government Advocate (Crl. Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For bail in Crime No.46 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 11.03.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant

bail.



CRL OP (MD) No.4728 of 2025

WEB COPY

2. The petitioner/A1 was arrested and remanded to judicial custody on 27.01.2025 for the alleged offences punishable under Section 309(4) of Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.46 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 26.01.2025, at about 02:30 p.m., when the defacto complainant was proceeding towards Kalyanasundaram 3rd Street, the petitioner, along with two other accused persons, came on a two-wheeler bearing Registration No.TN-49-BL-4009 and snatched the handbag of the defacto complainant, in which there was a sum of Rs.4,000/-. While they were pulling the handbag, the defacto complainant fell down, causing injuries. Hence the case.

4. Mr.A.Arun Prasad, the learned counsel appearing for the petitioner, submits that the petitioner did not commit any offence as alleged by the prosecution and that he has been falsely implicated in this case. He however submits that the petitioner is ready to abide by any condition that may be imposed by this Court. He further submits that the petitioner has been in judicial custody since 27.01.2025. He therefore prays to grant bail to the petitioner.



CRL OP (MD) No.4728 of 2025

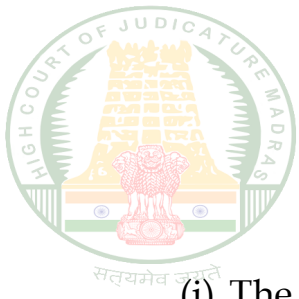
WEB COPY

5. *Per contra*, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. Side) appearing for the respondent-police, submits that the petitioner, along with the other accused persons, snatched the handbag of the defacto complainant, including a sum of Rs.4,000/-. He further submits that the amount has been recovered from the accused persons and that the petitioner has no previous cases. He further submits that if the petitioner is enlarged on bail, he will commit a similar offence and endanger the public. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner was arrested on 27.01.2025 and has been in judicial custody. The petitioner has permanent residence and deep roots in the Society and therefore, there is less possibility of absconding. Considering the same, and also considering the nature of offences alleged against the petitioner and the fact that the amount has been recovered, and taking note of the fact that the petitioner is first offender, and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions.

Accordingly, bail is granted to the petitioner subject to the following conditions:



CRL OP (MD) No.4728 of 2025

WEB COPY

(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, No.II, Thanjavur;

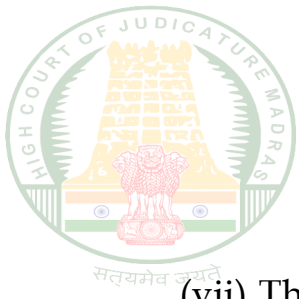
(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate, No.II, Thanjavur shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, No.II, Thanjavur;

(iv) The petitioner shall appear and sign before the learned Judicial Magistrate, No.II, Thanjavur, on all working days at 10.30 a.m., until further orders;

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

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



CRL OP (MD) No.4728 of 2025

WEB COPY

(vii) 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;

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

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, No.II, Thanjavur 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/-
13/03/2025

/ TRUE COPY /

14/03/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MBI
TO
1 THE JUDICIAL MAGISTRATE NO.II
THANJAVUR.



CRL OP (MD) No.4728 of 2025

WEB COPY

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
TAMIL UNIVERSITY POLICE STATION,
THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, THANJAVUR.

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

ORDER
IN

CRL OP(MD) No.4728 of 2025

Date :13/03/2025

SS/SAR- /14/03/2025/ 6P/6C

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