



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.4850 of 2025

Yogeshwaran

... Petitioner/ Sole Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Ganesh Nagar Police Station,
Pudukottai.
(Crime No. 60 of 2025)

... Respondent/Complainant

For Petitioner : Mr. D.Rameshkumar,
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. 60 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 13.03.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner/sole accused was arrested and remanded to judicial custody on 21.02.2025 for the offences punishable under Sections 20 and 25(1A) of Arms Act, 1959, in Crime No.60 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 21.02.2025, when the respondent-police were on patrol duty near the Pudukkottai-Machuvadi-Andakulam Division Road, they noticed that the petitioner was threatening the public by showing an aruval. The petitioner was caught red-handed by the respondent-police. Hence, the case.

4. Mr.D.Rameshkumar, learned counsel appearing for the petitioner, submits that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution, and a false case has been foisted against the petitioner. He however submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. He therefore prays to grant bail to the petitioner.

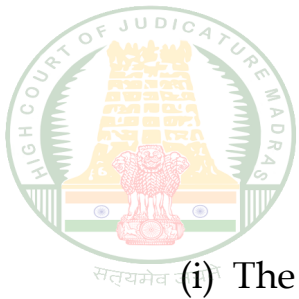


WEB COPY

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Crl. Side) appearing for the respondent-police, submits that no one has sustained injury in the said occurrence. He further submits that there are eight previous cases pending against the petitioner, and he is a history-sheeted rowdy (H.S.No.244/2019). He therefore submits if the petitioner is enlarged on bail, he may abscond and cause threat to the witnesses and the general 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 and remanded to judicial custody on 21.02.2025, and he is still in judicial custody i.e., for more than 25 days. Considering the same, and also considering the nature of allegations made against the petitioner and 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 bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:



WEB COPY

(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.I, Pudukkottai;

(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.I, Pudukkottai 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.I, Pudukkottai;

(iv) The petitioner shall appear and sign before the learned Judicial Magistrate No.I, Pudukkottai, 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;



WEB COPY

(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;

(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 not directly or indirectly cause any threat to the witnesses and general public; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.I, Pudukkottai 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
WEB COPY
conditions stated supra.

Sd/-
17/03/2025

/ TRUE COPY /

17/03/2025
Sub-Assistant Registrar
(C.S.I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

trp/jen

TO

1 THE JUDICIAL MAGISTRATE NO.I,
PUDUKKOTTAI.

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

3 THE OFFICER INCHARGE
DISTRICT PRISON, PUDUKKOTTAI.

4 THE INSPECTOR OF POLICE,
GANESH NAGAR POLICE STATION,
PUDUKKOTTAI



WEB COPY

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

ORDER
IN
CRL OP(MD) No.4850 of 2025
Date :17/03/2025

ES/ 17.03.2025/7P/6C

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