



Crl.O.P.(MD)No.5293 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) Nos.5293, 5296 & 5298 of 2025

Crl.O.P.(MD)No.5293 of 2025

Saravanan

... Petitioner/ Accused No.8

Vs

The Inspector of Police,
Vallathirakottai Police Station,
Pudukottai District.
(Crime No. 14 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.D.Rameshkumar, Advocate

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

Crl.O.P.(MD).No.5296 of 2025

Karthick

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Vallathirakottai Police Station,
Pudukottai District.
(Crime No. 14 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.D.Ramesh Kumar, Advocate

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



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Crl.O.P.(MD).No.5298 of 2025

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Vivek

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Vallathirakottai Police Station,
Pudukottai District.
(Crime No. 14 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.D.Rameshkumar, Advocate

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

PETITIONS FOR BAIL Under Sec.483 of BNSS

COMMON PRAYER :-

For Bail in Crime No. 14 of 2025 on the file of the respondent-police.

COMMON ORDER : The Court made the following common order :-

These Criminal Original Petitions have been filed by the petitioners on 03.03.2025 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 09.02.2025 for the offences punishable under Sections 191(2), 191(3), 126(2), 296(b), 115(2), 118(1), 109(1) & 351(3) of BNS, 2023 in Crime No.14 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that due to a prior enmity regarding the submersion of the Vinayagar idol, on 09.02.2025, at about 04.30 p.m., near



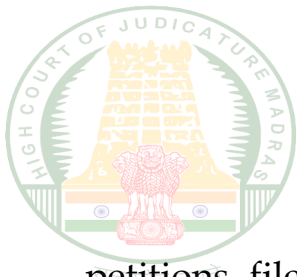
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Thoppukollai Camp, the petitioners and other accused persons unlawfully assembled with deadly weapons, waylaid the victim, abused him by using filthy language, and assaulted him, causing grievous injury in his tarsal area. Hence, the case.

4. Ms.D.Ramesh Kumar, learned counsel appearing for the petitioners, submits that the petitioners have nothing to do with the alleged offence and that a false case has been foisted against the petitioners. He further submits that the petitioners are law abiding citizens and that they will not abscond in future and tamper with the evidence. He further submits that, in fact, the defacto complainant and their associates assaulted the petitioners and their friends, and that there are case and counter-case pending investigation before the respondent-police in Crime Nos.14 and 15 of 2025. He further submits that the petitioner in Crl.O.P.(MD) No.5298 of 2025 viz., Vivek has also suffered grievous injuries. Hence, he prays to grant bail to the petitioners.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (crl. side) appearing for the respondent-police, submits that the petitioner in Crl.O.P.(MD) No.5296 of 2025/Accused No.1 has three previous cases, the petitioner in Crl.O.P.(MD)No.5298 of 2025/Accused No.2 has four previous cases and is a history-sheeted rowdy, and the petitioner in Crl.O.P.(MD) No.5293 of 2025/Accused No.8 has one previous case. He further submits that this is the second bail petitions and the earlier



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petitions filed by the petitioners were dismissed by this Court on 07.03.2025 in
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Crl.O.P((MD).Nos.4096, 4099 & 4110 of 2025. He further submits that if the petitioners are released on bail, they will cause threat to the defacto complainant and witnesses and create law and order problem in the society. Hence, he vehemently opposes to grant bail to the petitioners.

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

7. In view of the fact and circumstances of the case, this Court is of the opinion that further custody of the petitioners is not necessary in this case. Further, 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 period of incarceration, and with a view to give one more 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/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate No.I, Pudukkottai, Pudukkottai District;

(ii) The sureties shall affix their photographs and left thumb impression in the



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Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate No.I, Pudukkottai, Pudukkottai District, shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate No.I, Pudukkottai, Pudukkottai District;

(iv) the petitioners shall stay at Ariyalur and appear and sign before the Inspector of Police, Town Police Station, Ariyalur, daily at 10.00 a.m., and 5.30 p.m., until further orders;

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

(vi) 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;

(vii) 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;

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

(ix) On breach of any of the aforementioned conditions, the learned Judicial



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Magistrate No.I, Pudukkottai, Pudukkottai District is entitled to pass appropriate orders against the petitioners 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, these Criminal Original Petitions are allowed subject to the conditions stated supra.

sd/-
21/03/2025

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21/03/2025

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

trp

TO

1 THE JUDICIAL MAGISTRATE NO.I,
PUDUKOTTAI, PUDUKOTTAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE,
VALLATHIRAKOTTAI POLICE STATION,
PUDUKKOTTAI DISTRICT.

4 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.

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

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



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COPY TO
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THE INSPECTOR OF POLICE
TOWN POLICE STATION, ARIYALUR.

ORDER
IN
CRL OP (MD) Nos.5293, 5296 & 5298 of 2025
Date :21/03/2025

RS/IT/SAR-(21.03.2025) 7P 7C
Madurai Bench of Madras High Court is issuing
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