



CRL OP (MD) No.5256 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) No.5256 of 2025

Nagaraj

... Petitioner/ Accused No.1

Vs

State of Tamil Nadu
Rep. by the Inspector of Police,
Vallathirakkottai Police Station,
Pudukkottai District.
Crime No.23 of 2025

... Respondent/ Complainant

For Petitioner : Mr.K.G.Arunkumar

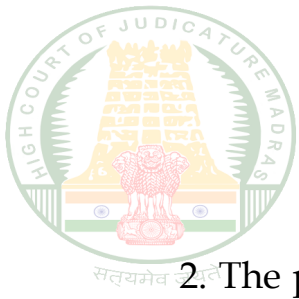
For Respondent : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For bail in Crime No.23 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 19.03.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.



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2. The petitioner/Accused No.1 was arrested and remanded to judicial custody on 14.03.2025 for the alleged offences punishable under Sections 126(2), 296(b), 118(1), 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023, and Sections 20, 25(1a) of the Arms Act, in Crime No.23 of 2025, on the file of the respondent-police.

3. The case of the prosecution is that on 10.03.2025, the petitioner and the other accused persons threatened the general public, who had gathered at a temple festival, with knives. The petitioner and the other accused persons waylaid the defacto complainant, abused him in filthy language, and assaulted him with a knife, due to which the defacto complainant sustained a simple injury on his left thumb and right shoulder. Hence, this case.

4. Mr.K.G.Arunkumar, learned counsel appearing for the petitioner, submits that the petitioner is an innocent person, and he has not committed any offence as alleged by the prosecution. He further submits that due to previous enmity, the petitioner has been falsely implicated in this case. He further submits that the petitioner has been in judicial custody since 14.03.2025, and that he has no previous case. 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.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. Side) appearing for the respondent-police, submits that the co-accused person/A3 is still



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absconding. He further submits that the petitioner has no previous case. However, he submits that if this Court grants bail to the petitioner, he may abscond and cause threat to the defacto complainant and the witnesses. 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 14.03.2025 and has been in judicial custody since then. The petitioner has no previous case. The petitioner has permanent residence and deep roots in the society. Hence, there is less possibility of absconding. Considering the same, and also considering the nature of offences allegedly committed by the petitioner, the period of incarceration and the fact that further custody of the petitioner is not necessary for the Investigating Agency, 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:

(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.I, Pudukkottai;

(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 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 concerned Judicial Magistrate;

(iv) The petitioner shall appear and sign before the respondent-police daily at 10.00 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;

(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 defacto complainant and the witnesses;

(ix) The petitioner shall not enter into the defacto complainant's house or workplace, and shall also not try to contact the defacto complainant either directly or



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through any electronic mode; and

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(x) 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 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.

APD

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,
VALLATHIRAKKOTTAI POLICE STATION,
PUDUKKOTTAI DISTRICT.



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

ORDER
IN
CRL OP(MD) No.5256 of 2025
Date :21/03/2025

SA/SAR. /21.03.2025/6P/6C

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