



CRL OP(MD). No.5365 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Kavi @ Pugazhenth,
S/o.Duraisaingan,
No.4/66b, North Street,
Thallaiyadikottai,
Paramakudi Taluk,
Ramanathapuram District.

... Petitioner/ Accused No.3

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Salaigramam Police Station,
Sivagangai District.
Crime No.17 of 2025

... Respondent/ Complainant

For Petitioner	:	Mr.Arulvadivel @ Sekar Senior Counsel for Mr.C.Senthil Murugan, Advocate
For Respondent	:	Mr.K.Sanjai Gandhi, Government Advocate (Crl.Side)
For Intervener	:	M.K.Vasanthakumar, Advocate



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PRAYER:-

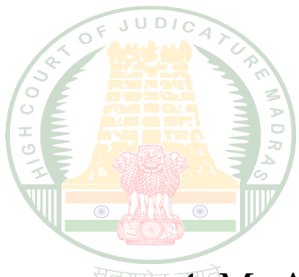
For Bail in Crime no.17 of 2025 on the file of the Respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 20.03.2025 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner / Accused No.3 was arrested and remanded to judicial custody on 04.03.2025 for the offences punishable under Sections 49, 126(2), 137(2), 296(b), 115(2) and 351(3) of BNS, 2023 altered into Sections 126(2), 49, 137(2), 296(b), 115(2), 351(3) and 109(1) of BNS, 2023 in Crime No.17 of 2025, on the file of the respondent-Police.

3. The case of the prosecution is that certain individuals in the locality have engaged in illegal sand mining. Consequently, the defacto complainant reported these illegal activities to the respondent-police and the revenue authorities. As a result, the accused persons allegedly abducted the defacto complainant in a car, assaulted him with their hands with the intention to murder, and threatened him with dire consequences. Hence, the case.



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4. Mr.Arul Vadivel @ Sekar, learned Senior Counsel for Mr.C.Senthil Murugan, learned counsel on record for the petitioner, submits that the petitioner has nothing to do with the alleged offence, and a false case has been foisted against the petitioner. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court, and co-operate with the investigating agency. He further submits that if bail is granted to the petitioner, he will not abscond. He further submits that the petitioner has been in judicial custody since 04.03.2025. Therefore, he prays for granting bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-Police, submits that there are totally five accused persons in this case and the petitioner has been arrayed as Accused No.3 in this case. He further submits that due to previous motive, the petitioners herein abducted the defacto complainant and assaulted him with hands and caused injuries to him. He further submits that the injured was admitted in the hospital on 10.02.2025 and discharged on 26.02.2025. He further submits that four accused persons are still absconding in this case. He further submits since the investigation has not yet been completed, the custodial interrogation of the petitioner is necessary in this case. He further submits that there are seven cases registered against the petitioner, out of which, four cases are disposed of and three cases are pending. He further submits



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that if bail is granted to the petitioner, he may abscond and thereby, cause delay to the investigation proceedings. Hence, he vehemently opposes to grant bail to the petitioner.

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6. Mr.K.Vasanthakmar, learned counsel appearing for the defacto complainant submits that the petitioner along with other accused persons kidnapped the defacto complainant and assaulted him and caused grievous injury to him. He further submits that if bail is granted to the petitioner, he may cause threat to the defacto complainant and witnesses. Hence, he vehemently opposes to grant bail to the petitioner.

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

8. Considering the above, and considering the facts and circumstances of the case, and considering the fact that four accused persons are still absconding in this case, and taking note of the fact that if bail is granted to the petitioner, he may abscond and cause threat to the defacto complainant and taking note of the bad antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner at this stage.



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9. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
24/03/2025

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/04/2025

Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE OFFICER INCHARGE,
DISTRICT PRISON,
SIVAGANGAI.

2 THE INSPECTOR OF POLICE,
SALAIGRAMAM
POLICE STATION,
SIVAGANGAI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.5365 of 2025
Date :24/03/2025

AS/SAR/ (09/04/2025) 5P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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