



CRL OP (MD) No.5564 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.5564 of 2025

Janarthanan

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu
Rep. by the Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
Crime No.59 of 2025

... Respondent/Complainant

For Petitioner : Mr.S.Poornachandran
Advocate

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For bail in Crime No.59 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 24.03.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to



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grant bail.

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2. The petitioner/A3 was arrested and remanded to judicial custody on 07.02.2025 for the alleged offences punishable under Sections 316(2), 318(2) and 318(4) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.59 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 05.02.2025, at about 01:00 p.m., the accused persons came to the bank to pledge jewels. On suspicion, the Cash Officer of the Bank informed the same to the defacto complainant, the Bank Manager. While appraising the jewels weighing 116.7 grams in the possession of Accused No.1, it was found that they were spurious. Upon further enquiry and perusal of the previous records, it was also revealed that in the name of Accused No.1, the accused persons had already pledged 401.2 grams of spurious jewels for a sum of Rs.36,37,000/- on various dates. The accused persons were caught red-handed and handed over to the respondent-police. Hence, the case.

4. Mr.S.Poornachandran, learned counsel appearing for the petitioner, submits that till date, the respondent-police did not file charge sheet, and therefore, the petitioner is entitled to statutory bail. He therefore prays to grant of statutory bail to the petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor



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appearing for the respondent-police, on instructions, confirms the fact that the respondent-police did not file charge sheet till date. He further submits that the respondent-police will file the charge sheet as soon as possible and that if the petitioner is enlarged on bail, he will cause threat to the defacto complainant and witnesses. He therefore prays for dismissal of this petition.

6. Heard on both sides and perused the records.

7. The petitioner was arrested on 07.02.2025 and has been in judicial custody since then. In view of the offences allegedly committed by the petitioner and the period of the incarceration suffered by the petitioner and taking note of the fact that respondent-police did not file charge sheet, this Court is of the opinion that the petitioner is entitled to the statutory bail under Section 187 of Bharatiya Nagarik Suraksha Sanhita, 2023. Therefore, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, statutory 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, Manamadurai;

(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



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Practice, 2019']. The learned Judicial Magistrate, Manamadurai shall obtain a copy of
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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, Manamadurai;

(iv) The petitioner shall appear and sign before the respondent-police weekly twice i.e., on every Sunday and Monday 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; and

(viii) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Manamadurai 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].



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8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

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17/04/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MBI
TO
1 THE JUDICIAL MAGISTRATE,
MANAMADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.

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

ORDER IN
CRL OP(MD) No.5564 of 2025
Date :16/04/2025

SA/SAR. /16.04.2025/5P/6C

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