



CRL OP (MD) No.5636 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Karthik @ Oolai Karthik

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Chinnamanur Police Station,
Theni District.
Crime No.512/2024

... Respondent/Complainant

For Petitioner : Mr.M.Manikandan
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS, 2023

PRAYER :-

For Bail in Crime No.512 of 2024 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

<https://www.mhc.tn.gov.in/judis> 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/ Accused No.2 was arrested and remanded to judicial custody on 30.12.2024 for the alleged offences punishable under Section 64 of the Tamil Nadu City Police Act, 1888, Sections 7 & 25(1A) of Arms Act, 1959, and Sections 296(b), 132 and 351(3) of BNS, 2023, in Crime No.512 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that on 30.12.2024, at about 2.00 a.m., when the defacto complainant, Sub-Inspector of Police, along with his team, was on patrol duty near the Bharath State Bank, Chinnamanur Weekly Santhai, they found the petitioner herein and other accused persons in possession of aruval and sword. When the same was questioned by the police, they threatened them with dire consequences and also abused them in filthy language. Hence, the case.

4. Mr.M.Manikandan, learned counsel appearing for the petitioner, submits that the petitioner is an innocent person, that he has not committed any offence as alleged by the prosecution, and that he has been falsely implicated in this case. He further submits that the petitioner has been in judicial custody since 30.12.2024, i.e., for more than 75 days. He further 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)



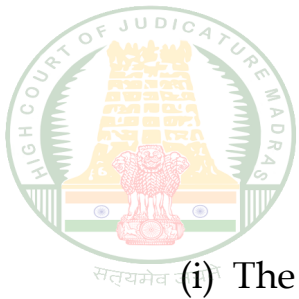
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appearing for the respondent-police, submits that the investigation in this case has already been completed, and the charge sheet was filed through e-filing. He further submits that the petitioner, along with other accused persons, was planning to commit an offence, and while questioning the same, they abused the police officials in filthy language and threatened them. Therefore, if the petitioner is enlarged on bail, he may abscond and cause threat to the public as well as the police officials. 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 30.12.2024, and he has been in judicial custody for more than 75 days. In view of the fact that the investigation in this case has already been completed and the charge sheet has been filed before the concerned Court through e-filing, this Court is of the opinion that further custody of the petitioner is not necessary for the Investigation Agency in this case. Further, the petitioner has permanent residence, and therefore, 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 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:



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(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, Uthamapalayam;

(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, Uthamapalayam 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, Uthamapalayam;

(iv) The petitioner shall appear and sign before the respondent-police daily at 10.00 a.m., and 5.00 p.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



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evidence;

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(viii) The petitioner shall not directly or indirectly cause any threat to the defacto complainant or other police officials and witnesses; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Uthamapalayam 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/-
26/03/2025

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26/03/2025
Sub-Assistant Registrar (Vigilance)
Madurai Bench of Madras High Court,
Madurai - 625 023.

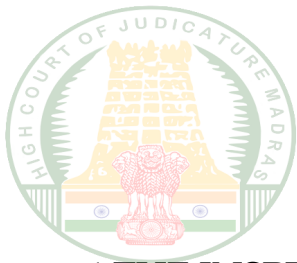
TRP

TO

1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM.

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

3 THE SUPERINTENDENT, CENTRAL JAIL, MADURAI.



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4 THE INSPECTOR OF POLICE, CHINNAMANUR POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.M.MANIKANDAN, Advocate (SR-3454[I] dated 26/03/2025)

ORDER
IN

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Date :26/03/2025

RS/IT/SAR-(26.03.2025) 6P 7C

Madurai Bench of Madras High Court is issuing
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