



CRL OP (MD) No.5858 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Karthikeyan @ Mettu Karthi

... Petitioner/ Accused No.2

Vs.

The State of Tamil Nadu
Rep. by the Inspector of Police,
Jaihindpuram Police Station,
Madurai.

Crime No.303 of 2025

... Respondent/ Complainant

For Petitioner : Mr.G.Vijaya Prabhakaran

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.303 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 26.03.2025 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/A2 was arrested and remanded to judicial custody on 28.02.2025 for the alleged offences punishable under Sections 20, 30 & 25(1)(a) of Arms Act, 1959 and Section 5 of Explosive Substances Act, 1908, in Crime No.303 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 28.02.2025, at 03.00 p.m, during patrolling duty near garbage composting yard at Thendral Nagar, M.K.Puram, the respondent-police found A1 and A2 standing with swords and petrol bombs with an intention to commit crime. The respondent-police arrested A1 and A2 and recovered two swords and two petrol bombs. Hence the case.

4. Mr.G.Vijaya Prabhakaran, the learned counsel appearing for the petitioner, submits that the petitioner did not commit any offence as alleged by the prosecution and that a false case has been foisted against him. He further submits that the petitioner has been in judicial custody since 28.02.2025 and is ready to abide by any condition 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 petitioner has three previous cases. He further submits that the co-accused is a history-sheeter and has numerous



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cases in and around Madurai. He also submits that the petitioner, along with the said co-accused/history-sheeter, planned to commit a crime. Therefore, if bail is granted to the petitioner, he may cause threat to the general public and commit crime. 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 28.02.2025 and has been in judicial custody. It is stated that the petitioner has three previous cases. In view of the offence allegedly committed by the petitioner, this Court is of the opinion that further custody of the petitioner is not necessary for the Investigation Agency. 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:

(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 No.IV, Madurai;

(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 No.IV, Madurai 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 No.IV, Madurai;

(iv) The petitioner shall appear and sign before the respondent-police daily at 10.00 a.m. and 05.00 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 evidence; and

(viii) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.IV, Madurai 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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Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE JUDICIAL MAGISTRATE NO.IV, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE, JAIHIDPURAM POLICE STATION,
MADURAI.

4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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

ORDER

IN

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Date :02/04/2025

RS/IT/SAR-(02.04.2025) 5P 6C

Madurai Bench of Madras High Court is issuing
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