



CRL OP (MD)No.5958 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/04/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Rajendran

... Petitioner/ A2

Vs

The State of Tamil Nadu
Rep by. The Inspector of Police,
Thirupullani Police Station,
Ramanathapuram District.
Crime No.32 of 2025.

... Respondent/Complainant

For Petitioner : Mr.R.Balamuruganantham
Advocate

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

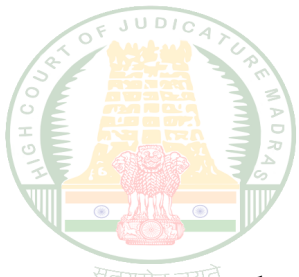
PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.32 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 27.03.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.



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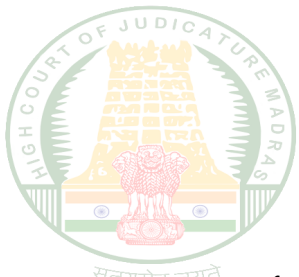
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2. The petitioner/Accused No.2 was arrested and remanded to judicial custody on 27.02.2025 for the offences punishable under Sections 189(2), 296(b), 115 (2), 118(1) and 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.32 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant's son is a deaf and dumb and has difficulty in communicating with others, often leading to misunderstandings. Due to one such incident, on 22.02.2025, at about 04:00 p.m., while the defacto complainant's son was standing near Mariyamman Temple, seven accused persons, including the petitioner, came there in a car, abused him in filthy language, assaulted him with a sickle and wooden logs all over his body, causing grievous injuries, and also threatened him with dire consequences. Hence, the complaint.

4. Mr.R.Balamuruganantham, learned Counsel appearing for the petitioner, submits that the petitioner is employed in a software company and has nothing to do with the alleged offence, and that a false case has been foisted against him. He further submits that the petitioner has been in judicial custody since 27.02.2025 and is ready to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays for granting bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. Side)



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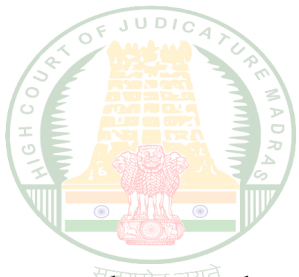
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appearing for the respondent-police, submits that the petitioner and other accused persons caused grievous injuries to the defacto complainant's son. He further submits that there is no previous case pending against the petitioner. He further submits that the defacto complainant's son was admitted in the hospital on 22.02.2025 and discharged on 01.04.2025. He further submits that if the petitioner is enlarged on bail, he may cause threat to the defacto complainant's son and witnesses. Accordingly, he strongly opposes to grant bail to the petitioner.

6. This Court has considered the submissions made on either side. This Court has perused records including the First Information Report.

7. The petitioner was arrested on 27.02.2025 and has been in judicial custody since then. In view of the allegation made in the First Information Report, this Court is of the opinion that further custody of the petitioner is not necessary in this case. Considering the same, and also considering the facts that the petitioner is employed in a software company and has no previous case and that the petitioner has permanent residence and deep roots in the society, and therefore, there is less possibility of absconding, and the period of incarceration suffered by the petitioner, this Court is inclined to grant an order of bail to the petitioner, however, subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five



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Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees
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Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate Court No.I, Ramanathapuram, Ramanathapuram District;

(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 Court No.I, Ramanathapuram, Ramanathapuram District, 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 Court No.I, Ramanathapuram, Ramanathapuram District;

(iv) The petitioner shall appear and sign before the respondent-police daily at 09.00 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 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



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from disclosing such facts to the Court or to any police officer or tamper with the evidence;
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(viii) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant, her son, and witnesses; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate Court No.I, Ramanathapuram, Ramanathapuram District, 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.

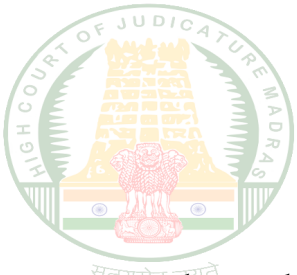
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/04/2025
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSG
To

1.The Judicial Magistrate Court No.I,
Ramanathapuram,
Ramanathapuram District.



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2.Do through the Chief Judicial Magistrate,
Ramanathapuram District.

3.The Officer-in-charge
District Prison, Ramand,
Ramanathapuram District.

4.The Inspector of Police,
Thirupullani Police Station,
Ramanathapuram District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

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Date : 09/04/2025

SL(09.04.2025)/ 6P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.