



CRL OP (MD) No.5961 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.5961 of 2025

Raja Jose Kumar

... Petitioner/ Accused No.7

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
B-1, Town Police Station,
Ramanathapuram District.
Crime No.42 of 2025

... Respondent/Complainant

For Petitioner : Mr.N.Balasubramanian
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.42 of 2025 on the file of the respondent-police.



CRL OP (MD) No.5961 of 2025

ORDER : The Court made the following order :-

WEB COPY

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.

2. The petitioner/Accused No.7 was arrested and remanded to judicial custody on 13.03.2025 for the alleged offences punishable under Sections 140(1), 296(b) & 311 of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.42 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant is a Marketing Manager at Global Exports Pvt. Ltd., which operates in the export and import of diamonds and gemstones. He purchased a diamond stone, namely Alexander Stone weighting 7 grams, on 02.01.2024 from M/s.Rajeswari Gems Associates, Karur. Thereafter, he approached one Ravi to sell the said stone, who, in turn, introduced him to A1. On 24.01.2025, the defacto complainant, along with his friends, one Shakeer and the said Ravi travelled to Ramanathapuram to meet A1. A1 over phone informed them that he would send his men to pick them up in his car. The said men



CRL OP (MD) No.5961 of 2025

arrived at Ramanathapuram Old Bus Stand and took the defacto complainant and Ravi in the car, leaving the others at the bus stand. On the way, the other accused persons boarded the car and threatened the defacto complainant at knifepoint. They also robbed him of the said diamond stone, his mobile phone, and Rs. 15,000/- in cash before abandoning them. Hence, the case.

4. Mr.N.Balasubramanian, learned counsel appearing for the petitioner, submits that the petitioner is an innocent person and that he has been falsely implicated in this case. He further submits that the petitioner has been in judicial custody since 13.03.2025 and is ready to abide by any stringent 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) appearing for the respondent-police, submits that the stolen property has been recovered from the co-accused and that the petitioner herein has one previous case. He further submits that no one has sustained injury in the said occurrence. However, he submits that if bail is granted to the petitioner, he may commit similar offence, cause threat to the defacto complainant and witnesses. Accordingly, he prays to dismiss this Criminal Original Petition.



CRL OP (MD) No.5961 of 2025

WEB COPY

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

7. Considering the nature of offence allegedly committed by the petitioner and also considering the fact that no one has sustained injury in the said occurrence and taking note of the fact that the property has been recovered from the co-accused persons and the period of incarceration, 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.I, Ramanathapuram;

(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.I, Ramanathapuram shall obtain a copy of any one of identity proofs to ensure their identity;



CRL OP (MD) No.5961 of 2025

WEB COPY

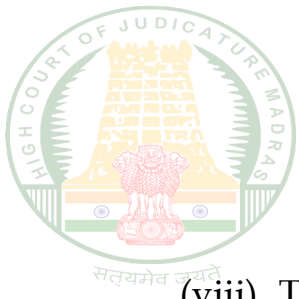
(iii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.I, Ramanathapuram;

(iv) The petitioner shall appear and sign before the respondent-police daily at 10.00 am 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;



CRL OP (MD) No.5961 of 2025

WEB COPY

(viii) The petitioner shall not cause threat to the defacto complainant and witnesses and shall also not enter into the defacto complainant's house or his workplace; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.I, Ramanathapuram 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/-
01/04/2025

/ TRUE COPY /

01/04/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1 THE JUDICIAL MAGISTRATE NO.I
RAMANATHAPURAM.



CRL OP (MD) No.5961 of 2025

WEB COPY

2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, KUMABAKONAM.

4 THE INSPECTOR OF POLICE,
B-1 TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.S.VIKRAMAN, Advocate (SR-3728[I] dated 01/04/2025)

ORDER
IN

CRL OP(MD) No.5961 of 2025

Date :01/04/2025

SS/SAR- /01/04/2025/ 7P/7C

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