



CRL OP (MD) No.6210 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1. Kanagaraj
S/o.Kasipandi

2. Kanagaraj
S/o.Karuppasamy

... Petitioners/ A5 and A6

Vs

The State of Tamil Nadu
Rep. by the Inspector of Police,
B1 Town Police Station,
Ramanathapuram,
Crime No.42 of 2025

... Respondent/Complainant

For petitioners : Mr.S.Vishnuvardhan,
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.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 02.04.2025 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 petitioners/ Accused Nos.5 and 6 were 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 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 knife point. 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.S.Vishnuvardhan, learned counsel appearing for the petitioners, submits



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that the petitioners are innocent persons and that they have been falsely implicated in this case. He further submits that the petitioners have been in judicial custody since 13.03.2025 and are ready to abide by any stringent conditions that may be imposed by this Court. He therefore prays to grant bail to the petitioners.

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 petitioners herein have two and one previous cases respectively. He further submits that no one has sustained injury in the said occurrence and the co-accused person/A7 has already been released on bail by this Court vide order dated 01.04.2025 in Crl.O.P(MD).No.5961 of 2025. However, he submits that if bail is granted to the petitioners, they may commit similar offence, cause threat to the defacto complainant and witnesses. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. Considering the nature of offence allegedly committed by the petitioners and the period of incarceration, and also considering the facts that no one has sustained injury in the said occurrence and that the co-accused has already been released on bail, and taking note of the fact that the stolen property has been recovered from the co-accused persons, and with a view to give one more opportunity to the petitioners



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to reform themselves, this Court is inclined to grant bail to the petitioners, however, subject to certain conditions. Accordingly, bail is granted to the petitioners subject to the following conditions:

(i) The petitioners shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) each 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;

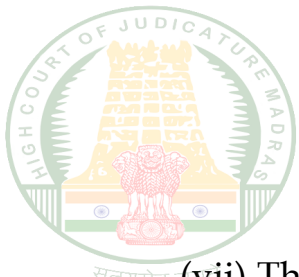
(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate No.I, Ramanathapuram shall obtain a copy of any one of identity proofs to ensure their identity;

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

(iv) The petitioners shall appear and sign before the respondent-police daily at 10.00 am until further orders;

(v) The petitioners shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

(vi) The petitioners shall not commit an offence similar to the offence of which they are accused, or suspected, of the commission of which they are suspected;



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(vii) The petitioners 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 them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(viii) The petitioners 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 petitioners 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/-
04/04/2025

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04/04/2025

Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.



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1. The Judicial Magistrate No.I, Ramanathapuram.
2. Do-Through The Chief Judicial Magistrate, Ramanathapuram District.
3. The officer-in-charge, District Jail, Ramanathapuram.
4. The Inspector of Police,
B1 Town Police Station, Ramanathapuram,
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.6210 of 2025
Date :04/04/2025

NBF/SAR/ (04/04/2025) 6P/6C

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