



CRL OP(MD). No.7168 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 22/04/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.7168 of 2025

Kavi @ Pugazhenth

... Petitioner/ Accused No.3

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Salaigramam Police Station,
Sivagangai District.
(Cr.No. 17 of 2025).

... Respondent/ Complainant

For Petitioner : Mr. Sachin Rahul M K,
Advocate.

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

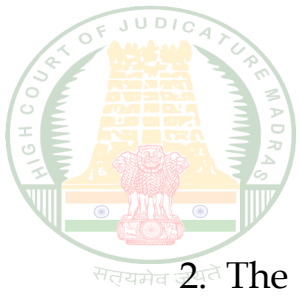
For intervenor : Mr.K.Vasanth Kumar
Advocate

PRAYER :-

For Bail in Crime No.17 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 17.04.2025 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.



CRL OP(MD). No.7168 of 2025

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2. The petitioner / A3 was arrested and remanded to judicial custody on 04.03.2025 for the alleged offences punishable under Section 126(2), 137(2), 296(b), 115(2), 351(3), 109(1) r/w. 49 of BNS, 2023 in Crime No.17 of 2025, on the file of the respondent police, seeks bail.

3. The case of the prosecution is that certain individuals in the locality have engaged in illegal sand mining. Consequently, the defacto complainant reported these illegal activities to the respondent - Police and the Revenue authorities. As a result, the accused persons allegedly abducted the defacto complainant in a car, assaulted him with their hands with intention to murder and threatened him with dire consequences. Hence, the complaint.

4. Mr.M.K.Sachin Rahul, learned counsel appearing for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submits that the investigation is completed. Originally the respondent - Police registered a case against the petitioner which are all bailable in nature. Subsequently, altered the Sections of law only with a view to invoke Act, 14 of 1982. He further submits that the petitioner has been in judicial custody from 04.03.2025 and seeks bail.

5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public



CRL OP(MD). No.7168 of 2025

Prosecutor appearing for the respondent Police, submits that the petitioner herein
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has been detained under Act, 14, 1982 vide order, dated 08.04.2025 in
Crl.M.P.No.41 / Goonda / 2025. He further submits that there are 7 previous cases
pending against the petitioner. In this circumstances, if the bail is granted to the
petitioner, he may abscond and caused delay in trial proceedings. Hence, he
opposed the grant of bail to the petitioner.

6. Mr. N.Vasanthakumar, the learned counsel for the intervenor submits that
the offence committed by the petitioner is serious in nature and hence, if he is
enlarged on bail, he will cause threat to life of the defacto complainant and tamper
the witnesses. Hence, he opposes to grant pre-arrest bail to the petitioners.

7. Heard both sides and perused the records.

8. Earlier, the petitioner moved bail application in Crl.O.P(MD).No.5365 of
2025, after hearing both sides the same was dismissed on 24.03.2025. It is the second
bail application and that there is no change of circumstances after dismissal of the
earlier petition. Considering the same and also considering the antecedents of the
petitioner, this Court is of the considered opinion that if the petitioner is released
on bail, he may abscond and thereby, delay the trial proceedings. Hence, this Court
is not inclined to grant bail to the petitioner.



CRL OP(MD). No.7168 of 2025

9. Accordingly, this Criminal Original Petition is dismissed.

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/05/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. THE INSPECTOR OF POLICE, SALAIGRAMAM POLICE STATION,
SIVAGANGAI DISTRICT.
2. THE OFFICER IN CHARGE, DISTRICT PRISON, SIVAGANGAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.7168 of 2025
Date :22/04/2025

PR/28.05 .2025 4P/4C

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