



CRL OP (MD) No.6442 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.6442 of 2025

S.Lakshmikanthan

... Petitioner/ A16

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
CCB-III Madurai City Police Station.
Crime No.48 of 2024

... Respondent/Complainant

For Petitioner : Ms.D.Saranya, Advocate

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.48 of 2024 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 04.04.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of bail.

2. The petitioner/Accused No.16 was arrested and remanded to judicial custody on 12.03.2025 for the offences punishable under Sections 465, 467, 468, 471



CRL OP (MD) No.6442 of 2025

and 120B of Indian Penal Code, 1860, in Crime No.48 of 2024 on the file of the
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respondent-police.

3. The case of the prosecution is that the petitioner, along with the other accused persons, conspired together and fabricated documents in respect of Government property, and executed sale deeds in favour of Accused Nos.1, 2, 3, 4, 11, 12, and 13. The petitioner (A11) has also obtained a plot HIG-5A (1800 sq.ft.) as per Document No.5148/2023 Hence, the case.

4. Ms.D.Saranya, the learned counsel for the petitioner, submits that the petitioner is an innocent person, that he has not committed any offence as alleged by the prosecution and that he has been falsely implicated in this case. She, however, submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. She further submits that the petitioner has been in judicial custody since 12.03.2025. She therefore prays to grant bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioner, along with the other accused persons, conspired together and fabricated documents and issued allotment orders in respect of Government property. He further submits that there is no previous case pending against the petitioner. However, he prays to dismiss this Criminal Original Petition.



CRL OP (MD) No.6442 of 2025

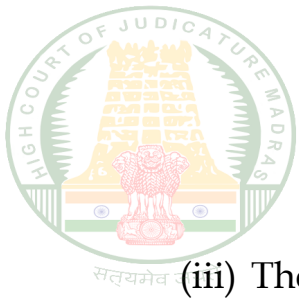
6. Heard on both sides. This Court has perused the records.

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7. The petitioner was arrested on 12.03.2025 and has been in judicial custody since then. In view of the offences allegedly committed by the petitioner (A11), this Court is of the opinion that further custody of the petitioner for the Investigation Agency is not required in this case. Further, the petitioner has permanent residence and deep roots in the society, and hence, there is less possibility of absconding. Considering the same, and also considering the period of incarceration suffered by the petitioner, and with a view to give an 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 I, 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 I, Madurai, shall obtain a copy of any one of identity proofs to ensure their identity;



CRL OP (MD) No.6442 of 2025

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(iii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate I, Madurai;

(iv) The petitioner shall appear and sign before the respondent-police daily at 10.00 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 from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(viii) The petitioner shall not cause any threat to the defacto complainant and the witnesses; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate I, 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].



CRL OP (MD) No.6442 of 2025

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
08/04/2025

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

TSG

TO

1 THE JUDICIAL MAGISTRATE NO.I, MADURAI

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISION, MADURAI.

4 THE INSPECTOR OF POLICE, CCB-III MADURAI CITY POLICE STATION,
MADURAI.

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

ORDER

IN

CRL OP(MD) No.6442 of 2025

Date :08/04/2025

RS//SAR-(09.04.2025) 5P 6C

Madurai Bench of Madras High Court is issuing
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