



CRL OP (MD) No.6613 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Chandru

... Petitioner/ Sole Accused

Vs

The State of Tamil Nadu
Rep. by the Inspector of Police
Thalaiyuthu Police Station,
Tirunelveli District,
Crime No.152 of 2025.

... Respondent/ Complainant

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

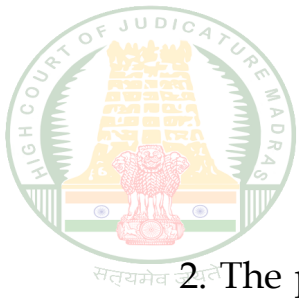
PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.152 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 07.04.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.



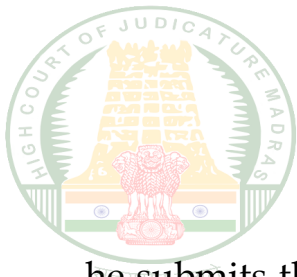
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2. The petitioner/Sole Accused was arrested and remanded to judicial custody on 25.03.2025 for the alleged offences punishable under Sections 109(1), 296(b) and 351(3) of BNS, 2023 in Crime No.152 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that, on 25.03.2025, when the defacto complainant was riding his bike near Thalaiyuthu Railway Station, the petitioner, who was coming on another bike, passed closely by him, nearly hitting him. At that time, the defacto complainant advised the petitioner to ride properly. Suddenly, the petitioner stopped his bike, abused the defacto complainant in filthy language, attempted to assault him with deadly weapon and criminally intimidated him. Hence, the case.

4. Mr.C.Venkatesh, 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 25.03.2025 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 there are five previous cases pending against the petitioner, and he is also a history-sheeter in H.S.No.353 of 2023. He further submits that no one has sustained injury in the said occurrence. However,



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he submits that if bail is granted to the petitioner, he may cause threat to the defacto complainant and witnesses. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides and perused the records.

7. The petitioner was arrested on 25.03.2025 and has been in judicial custody since then. In view of the offences allegedly committed by the petitioner and taking note of the fact that no one has sustained injury in the said occurrence, this Court is of the opinion that further custody of the petitioner is not necessary for the Investigation Agency in this case. Further, the petitioner has permanent residence, and therefore, there is less possibility of absconding. Considering the same and also considering the period of incarceration and with a view to give one more opportunity 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 No.III, Thirunelveli District;

(ii) The sureties shall affix their photographs and left thumb impression in the



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Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate No.III, Thirunelveli 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 No.III, Thirunelveli District;

(iv) The petitioner shall and appear and sign before the respondent - Police daily at 10.00 a.m. and 5.00 p.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 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;

(viii) The petitioner shall not enter into the defacto complainant's house or workplace;

(ix) The petitioner shall not directly or indirectly cause any threat to the defacto complainant and the witnesses, and shall also not try to contact the defacto



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complainant either directly or through any electronic mode; and

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(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.III, Thirunelveli 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.

sd/-
16/04/2025

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16/04/2025

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

TRP

TO

1 THE JUDICIAL MAGISTRATE NO.III, TIRUNELVELI DISTRICT.

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

3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE, THALAIYUTHU POLICE STATION,
TIRUNELVELI DISTRICT.



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

ORDER
IN

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Date :16/04/2025

RS//SAR-(16.04.2025) 6P 6C

Madurai Bench of Madras High Court is issuing
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