



CRL OP (MD) No.6609 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/04/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.6609 of 2025

Santhoshkumar

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu
Rep by. The Inspector of Police,
Kollidam Police Station,
Trichy District.
Crime No.70 of 2025.

... Respondent/Complainant

For Petitioner : Mr.S.Ramsundarvijayraj
Advocate

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

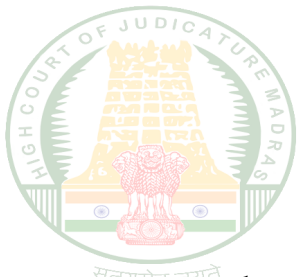
PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.70 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.



CRL OP (MD) No.6609 of 2025

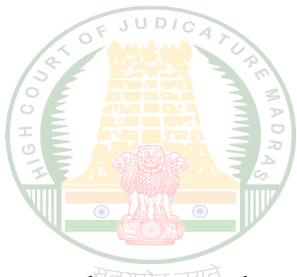
WEB COPY

2. The petitioner/Sole Accused was arrested and remanded to judicial custody on 23.03.2025 for the offences punishable under Section 304(2) of Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.70 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 22.03.2025, at about 04:15 p.m., while the defacto complainant and his wife were standing at the Panamangalam Bus Stop to board a bus, the petitioner snatched a gold chain weighing 2 sovereigns from the defacto complainant's wife and fled from the scene of occurrence. Hence, the complaint.

4. Mr.S.Ramsunarvijayraj, learned Counsel appearing for the petitioner, submits that the petitioner is an innocent person, that he has nothing to do with the alleged offence and that a false case has been foisted against the petitioner. He further submits that the petitioner has been in judicial custody since 23.03.2025 and is ready to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays for granting 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 was recovered from the petitioner. He further submits that there is no previous case pending against the petitioner. He further submits that if the petitioner is enlarged on bail, he may cause threat to the defacto complainant and his family members. Accordingly,



CRL OP (MD) No.6609 of 2025

he strongly opposes to grant bail to the petitioner.

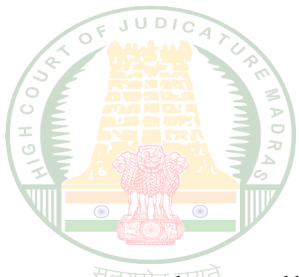
WEB COPY

6. This Court has considered the submissions made on either side. This Court has perused records including the First Information Report.

7. In view of the allegations made in the First Information Report and the fact that the stolen property has been recovered from the petitioner, this Court is of the opinion that further custody of the petitioner is not necessary for the Investigation Agency in this case. Considering the same, and also considering the facts that the petitioner has no previous case and that the petitioner has permanent residence and deep roots in the society, and therefore, there is less possibility of absconding and the period of incarceration suffered by the petitioner, this Court is inclined to grant an order of bail to the petitioner, however, subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned District Munsif cum Judicial Magistrate, Srirangam, Tiruchirapalli;

(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 District Munsif cum Judicial Magistrate, Srirangam,



CRL OP (MD) No.6609 of 2025

Tiruchirapalli, 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 District Munsif cum Judicial Magistrate, Srirangam, Tiruchirapalli;

(iv) The petitioner shall appear and sign before the learned District Munsif cum Judicial Magistrate, Srirangam, Tiruchirapalli, weekly twice (ie., on Monday and Friday) at 10.30 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, directly or indirectly, cause any threat to the defacto complainant and witnesses; and

(ix) On breach of any of the aforementioned conditions, the learned District Munsif cum Judicial Magistrate, Srirangam, Tiruchirapalli, is entitled to pass



CRL OP (MD) No.6609 of 2025

सत्यमेव जयते
WEB COPY

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/-
09.04.2025

/ TRUE COPY /

09/04/2025
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSG

To

1.The District Munsif cum Judicial Magistrate,
Srirangam,
Tiruchirapalli.

2.Do through the Chief Judicial Magistrate,
Tiruchirapalli District.

3.The Superintendent,
Central Jail, Trichy.

4.The Inspector of Police,
Kollidam Police Station,
Trichy District.



CRL OP (MD) No.6609 of 2025

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.RAMSUNDARVIJAYRAJ, Advocate (SR-4177[I] dated
09/04/2025)

ORDER
IN
CRL OP(MD) No.6609 of 2025
Date : 09/04/2025

SL(09.04.2025)/ 6P/ 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.