



CRL OP (MD) No.6719 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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A.Suryaprakash

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu
Rep. by the Inspector of Police,
Periyakulam Police Station,
Theni District.
(Crime No.56 of 2025)

... Respondent/Complainant

For Petitioner : Mr.S.Maruthu Pandian,
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-



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For Bail in Crime No.56 of 2025 on the file of the Respondent-Police

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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 08.04.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail.

2. The petitioner/Sole Accused was arrested and remanded to judicial custody on 23.03.2025 for the offences punishable under Sections 296(b), 132, 351(3) of BNS, 2023 and Section 25(1A) of the Arms Act, 1959 in Crime No.56 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that, on 23.03.2025 at about 09:00 a.m., when the defacto complainant, a Special Sub-Inspector of Police, along with his team, was on surveillance near Vaithiyanathapuram Varipalam, Vadakarai, Periyakulam, they noticed the petitioner. During enquiry, the petitioner abused the police official in filthy language and threatened them by showing a large sickle. The petitioner further stated that some persons had killed his brother and that he planned to kill them with the said sickle. He also threatened the general public, who, out of fear, ran away. Hence, the case.

4. Mr.S.Maruthu Pandian, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence and that a false case has



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been foisted against the petitioner. He further submits that the petitioner has been in incarceration since 23.03.2025 and is ready to abide by any 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 (Criminal Side) appearing for the respondent-Police, submits that the petitioner was in possession of a large sickle and, during enquiry, he abused the police officials in filthy language and threatened them by showing the said sickle. He had also threatened the general public. He further submits that there are six previous cases pending against the petitioner and that no one sustained any injury in the present case. He however submits that if bail is granted to the petitioner, he will cause a threat to the general public. Accordingly, he prays to dismiss this petition.

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

7. In view of the offences allegedly committed by the petitioner, and considering the fact that no one sustained any injury in the present case and that the alleged deadly weapon has been seized by the respondent-police, this Court is of the opinion that further custody of the petitioner is not necessary for the Investigating Agency in this case. Further, the petitioner has permanent residence, and therefore, there is less possibility of absconding. Considering the same, and with a view to give one more opportunity to the petitioner to reform himself, this Court is inclined to



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grant an order of bail to the petitioner, however, subject to the following conditions:

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(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 Judicial Magistrate, Periyakulam, Theni District;

(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, Periyakulam, Theni 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, Periyakulam, Theni District;

(iv) The petitioner shall appear and sign before the respondent-police daily at 10.00 a.m., and 05.00 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 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



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from disclosing such facts to the Court or to any police officer or tamper with the
evidence;

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(viii) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant, any other police officials and witnesses; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Periyakulam, Theni 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/-
15/04/2025

/ TRUE COPY /

15/04/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

1 THE JUDICIAL MAGISTRATE
PERIYAKULAM THENI DISTRICT



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3 THE OFFICER INCHARGE
SUB JAIL, PERIYAKULAM.

4 THE INSPECTOR OF POLICE,
PERIYAKULAM POLICE STATION,
THENI DISTRICT

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

+1 CC to M/s.S.MARUTHU PANDIAN, Advocate (SR-4231[I] dated 15/04/2025)

ORDER

IN

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Date :15/04/2025

HPS/SAR / 15.04.2025/6P/7C

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