



CRL OP (MD) No.7160 of 2025

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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.7160 of 2025

Baseer Ahamed

... Petitioner/ Accused No.2

Vs.

The State of Tamil Nadu
Rep. by the Inspector of Police,
Thanjavur TIW Police Station,
Crime No.112 of 2024

... Respondent/ Complainant

For Petitioner : Mr.Raja.Karthikeyan,
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.112 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 17.04.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner/ Accused No.2 was arrested and remanded to judicial custody on 25.02.2025, for the alleged offences punishable under Sections 281 and 106(1) of



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Bharatiya Nyaya Sanhita (BNS), 2023 @ Sections 281, 106(1), 318(2), 318(3), 336(3), 336(4), 339, 341(1) and 341(2) of Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.112 of 2024, on the file of the respondent-police.

3. The case of the prosecution is that on 02.08.2024 at about 04:15 p.m., A1 drove a Bolero pickup vehicle belonging to the petitioner (A2) with a fake Registration No.TN-55-AU-5220 and caused an accident in which the son of the defacto complainant died. Hence, the case.

4. Mr.Raja Karthikeyan, learned counsel appearing for the petitioner, submits that the petitioner is an innocent person and that he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been judicial custody since 25.02.2025 and is ready to abide by any conditions that may be imposed by this Court. Accordingly, he prays to grant bail to this petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that this is the second bail petition filed by the petitioner and that the earlier petition filed by the petitioner was dismissed by this Court vide order dated 26.03.2025 made in Crl.O.P. (MD) No.5585 of 2025. He further submits that if the petitioner is released on bail, he may abscond and cause threat to the defacto complainant and other witnesses. Accordingly, he prays for dismissal of this petition.



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

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7. The petitioner was arrested on 25.02.2025 and has been in judicial custody since then. In view of the fact that the occurrence took place on 02.08.2024, and the investigation could have been completed by now, and also considering the nature of offences allegedly committed by the petitioner as well as the period of incarceration suffered by him, this Court is of the opinion that further custody of the petitioner is not necessary for the Investigating Agency in this case. Considering the same 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.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 No.III, Thanjavur;

(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 No.III, Thanjavur 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



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the learned Judicial Magistrate No.III, Thanjavur;

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(iv) The petitioner shall appear and sign before the respondent- police daily at 10.00 am 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 complainant either directly or through any electronic mode; and

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.III, Thanjavur is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by



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him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala

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[(2005) 13 SCC 283].

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

sd/-

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22/04/2025

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

TRP

TO

1 THE JUDICIAL MAGISTRATE NO.III
THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE,
SUB JAIL, THANJAVUR.

4 THE INSPECTOR OF POLICE,
THANJAVUR TIW POLICE STATION,
THANJAVUR.

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

+1 CC to M/s.RAJA KARTHIKEYAN, Advocate (SR-4529[I] dated 22/04/2025)



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ORDER
IN
CRL OP(MD) No.7160 of 2025
Date :22/04/2025

SA/SAR. /22.04.2025/6P/7C

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