



CRL OP (MD) No.6823 of 2025

WEB COPY 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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Ajithkumar

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu
Rep. by the Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
(Crime No.176 of 2025).

... Respondent/ Complainant

For Petitioner : Mr.C.Senthil Murugan
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.176 of 2025 on the file of the Respondent - Police.



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ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 09.04.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner/Accused No.1 was arrested and remanded to judicial custody on 01.04.2025 for the alleged offences punishable under Sections 126(2), 296 (b), 109(1), 308(4) and 351(3) of BNS, 2023 in Crime No.176 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that, on 31.01.2025, at about 7:45 a.m., when the defacto complainant, along with his friend, was approaching the Karaikudi Water Tank Bus Stop, the petitioner and other accused persons, who were standing with their two-wheeler bearing Registration No.TN-82-W-7299, waylaid the defacto complainant and demanded money by brandishing an aruval. The petitioner (A1) attempted to take money from the shirt pocket of the defacto complainant. When the defacto complainant resisted, the accused persons attacked him with the aruval. Fortunately, the defacto complainant escaped the attack. The accused also abused him in filthy language and snatched Rs.1,000 from his possession. When members of the public raised an alarm, the accused persons threatened both the defacto complainant and the public with dire consequences and fled from the scene. Hence,



the case.

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4. Mr.C.Senthil Murugan, 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 01.04.2025 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 (Criminal Side) appearing for the respondent-police, submits that the petitioner is a habitual offender and has 23 previous cases registered against him. He further submits that no one sustained any injury in the said occurrence. Further, he submits that if bail is granted to the petitioner, he may cause threat to the defacto complainant and other 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 01.04.2025 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 the defacto complainant has not sustained any injury, 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 period of incarceration and with a view to give one more opportunity to the



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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, Karaikudi;

(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, Karaikudi shall obtain a copy of any one of identity proofs to ensure their identity;

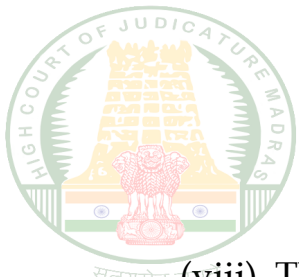
(iii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Karaikudi;

(iv) The petitioner shall 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;



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

TRP

To

1.The Judicial Magistrate,
Karaikudi

2. Do-Through The Chief Judicial Magistrate,
Sivagangai District.



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3. The officer-in-charge,
District Prison, Sivagangai.
4. The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.6823 of 2025
Date :16/04/2025

MK/SAR /17.04.2025 6P/6C

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