



CRL OP (MD) No.6991 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Kowspandi

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu
Rep. by the Inspector of Police,
Vedasandur Police Station,
Dindigul District.
Crime No.97 of 2025

... Respondent/Complainant

For Petitioner : Mr.M.Suresh,
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.97 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 15.04.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to



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grant bail.

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2. The petitioner/sole accused was arrested and remanded to judicial custody on 16.03.2025 for the offences punishable under Section 308(4) of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.97 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 16.03.2025, at about 11:00 hours, when the defacto complainant and his son were standing at Lakshmanampatti Four-Way Junction, the petitioner came there and, at knife point, demanded a sum of Rs.500/- from him to consume alcohol. Thereafter, with the help of nearby persons, the defacto complainant caught the accused and handed him over to the respondent-police. Hence, the complaint.

4. Mr.M.Suresh, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence and that a false case has been foisted against the petitioner. He however submits that he is ready to abide by any conditions to be imposed by this Court. He further submits that the petitioner has been in incarceration since 16.03.2025. 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 has eight



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previous cases. He further submits that the defacto complainant has not sustained any injuries. He further submits that if the petitioner is enlarged on bail, he will cause threat to the defacto complainant and may also commit similar offences. Hence, he vehemently opposes to grant bail to the petitioner.

6. Heard on both sides and perused the records.

7. The petitioner was arrested and has been in judicial custody since 16.03.2025.

In view of the offences allegedly committed by the petitioner and taking note of the fact that no injury was caused to the defacto complainant, 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 suffered by the petitioner and with a view to give one more opportunity to the petitioner to reform himself, 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 Additional District Munsif cum Judicial Magistrate, at Vendasandur, Dindigul 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 Additional District Munsif cum Judicial Magistrate, at Vedasandur, Dindigul 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 Additional District Munsif cum Judicial Magistrate, at Vedasandur, Dindigul District;

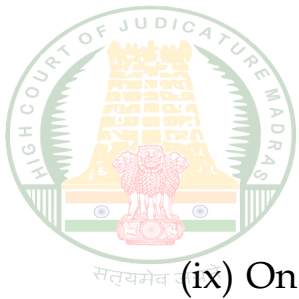
(iv) The petitioner shall appear and sign before the respondent-police daily at 10.00 a.m., and 05.00 p.m., until further orders;

(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 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



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(ix) On breach of any of the aforementioned conditions, the learned Additional District Munsif cum Judicial Magistrate, at Vendasandur, Dindigul 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/-
17/04/2025

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17/04/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSG

To

- 1.The Additional District Munsif cum Judicial Magistrate Court,
Vendasandur, Dindigul District.
- 2.Do through The Chief Judicial Magistrate, Dindigul District.
- 3.The Officer-In-Charge, District Prison, Dindigul.
- 4.The Inspector of Police,
Vendasandur Police Station, Dindigul District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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ORDER

IN

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Date :17/04/2025

NBF/SAR/ (17/04/2025) 6P/6C

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