



CRL OP (MD) No.7311 of 2025

WEB COPY

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.7311 of 2025

Gundu Karthick @ Karthikeyan

... Petitioner/Sole Accused

Vs.

The State of Tamil Nadu
Rep. by the Inspector of Police,
Namanasamuthiram Police Station,
Pudukottai District.
Crime No.19 of 2025

... Respondent/Complainant

For Petitioner : Mr.A.Prasanna Rajadurai
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.19 of 2025 on the file of the respondent-police.

ORDER : The Court made the following order :-



CRL OP (MD) No.7311 of 2025

WEB COPY

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/sole accused was arrested and remanded to judicial custody on 17.04.2025 for the offences punishable under Sections 296(b), 308(4) and 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.19 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that, due to a previous dispute, on 16.02.2025 at about 04:00 p.m., when the defacto complainant was at his house, the petitioner unlawfully entered into his house, abused him in filthy language, and also threatened him with a knife. Hence, the complaint.

4. Mr.A.Prasanna Rajadurai, learned counsel appearing for the petitioner, submits that the petitioner is an innocent person, that he has not committed any offence as alleged by the prosecution, and that a false case has been foisted against the petitioner. He further submits that the petitioner has been in judicial custody since 17.02.2025 and is ready to abide by any 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 there are 17 previous cases

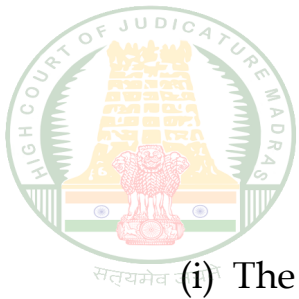


WEB COPY

pending against the petitioner, and he is known to be a rowdy element. He further submits that the petitioner was detained under Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Cyber law offenders, Drug offenders, Forest-offenders, Goondas, Immoral Traffic Offenders, Sand offenders, Sexual-offenders, Slum-grabbers and Video Pirates Act, 1982 [Act No.14 of 1982]. He further submits that no one has sustained injury in this case. He further submits that investigation of the case is pending, and therefore, at this stage, if the petitioner is enlarged on bail, he may abscond, cause threat to the defacto complainant and his family members and delay the investigation. Accordingly, he strongly opposes to grant bail to the petitioner.

6. Heard on both sides and perused the records.

7. The petitioner was arrested on 17.02.2025 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 Investigating 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 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:



CRL OP (MD) No.7311 of 2025

WEB COPY

(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 District Munsif - cum - Judicial Magistrate, Thirumayam, Pudukkottai 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 District Munsif - cum - Judicial Magistrate, Thirumayam, Pudukkottai 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 District Munsif - cum - Judicial Magistrate, Thirumayam, Pudukkottai District;

(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



CRL OP (MD) No.7311 of 2025

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, his family members 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 District Munsif - cum - Judicial Magistrate, Thirumayam, Pudukkottai 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.

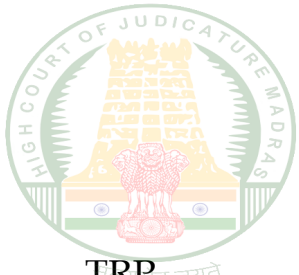
sd/-

22/04/2025

/ TRUE COPY /

23/04/2025

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



CRL OP (MD) No.7311 of 2025

TRP
TO
WEB COPY

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUMAYAM, PUDUKKOTTAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, PUDUKKOTTAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE,
NAMANASAMUTHIRAM POLICE STATION,
PUDUKOTTAI DISTRICT.

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

+1 CC to M/s.NA.PALANIYANDI, Advocate (SR-4566[I] dated 22/04/2025)

ORDER IN
CRL OP(MD) No.7311 of 2025
Date :22/04/2025

SA/SAR. /23.04.2025/6P/7C

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