



CRL OP (MD) No.7316 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.7316 of 2025

Backiyaranjith

... Petitioner/ Accused No.2

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.A.Balaji
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.176 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 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 31.03.2025 for the offences punishable under Sections 126(2), 296(b), 109(1), 308(4) and 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.176 of 2025 on the



file of the respondent-police.

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3. The case of the prosecution is that on 31.03.2025, 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 near their two-wheeler bearing Registration No.TN-82-W-7299, waylaid the defacto complainant and demanded money by brandishing an aruval. When they refused, the accused persons attempted to strike the defacto complainant with a sword. Fortunately, the defacto complainant managed to escape the attack. The petitioner herein 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.

4. Mr.A.Balaji, 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 31.03.2025 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



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Side) appearing for the respondent-police, submits that there are 17 previous cases pending against the petitioner, and he is a habitual offender 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 the said occurrence and that A1 has already been released on bail by this Court in Crl.O.P. (MD) No.6823 of 2025 vide order dated 16.04.2025. However, he submits that if the petitioner is enlarged on bail, he may abscond, cause threat to the defacto complainant, and commit similar offence. 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 31.03.2025 and has been in judicial custody since then. In view of the offence 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 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 bail to



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the petitioner, however, subject to certain conditions. Accordingly, bail is granted to
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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, Sivagangai;

(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, Sivagangai 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, Sivagangai;

(iv) The petitioner shall appear and sign before the respondent- police daily at 10.00 am and 5.00 pm 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



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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

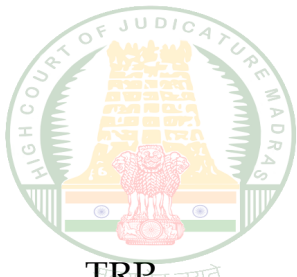
(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Karaikudi, Sivagangai is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji 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

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23/04/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TRP
TO
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1 THE JUDICIAL MAGISTRATE,
KARAIKUDI, SIVAGANGAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE,
KARAIKUDI NORTH POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.A.BALAJI, Advocate (SR-4560[I] dated 22/04/2025)

ORDER IN
CRL OP(MD) No.7316 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.