



CRL OP(MD). No.8366 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/05/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.8366 of 2025

Parthiban @ Mangai Parthiban

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Samayapuram Police Station,
Trichy District.
Crime No. 106/2025

... Respondent/Complainant

For Petitioner : Mr.C.Karthikeyan,
Advocate

For Respondent : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS, 2023

PRAYER :- For Bail in Crime No.106 of 2025 on the file of the Respondent-Police.



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ORDER: The Court made the following order :

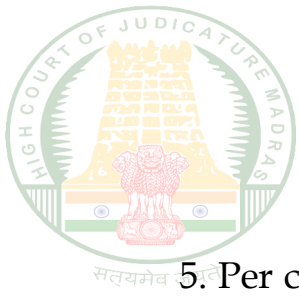
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This Criminal Original Petition has been filed by the petitioner on 05.05.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant bail.

2. The petitioner / Sole Accused was arrested and remanded to judicial custody on 03.04.2025 for the offences punishable under Sections 296(b), 132 and 351(3) of BNS, 2023 in Crime No.106 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 03.04.2025, at about 00:45 hours, while the defacto complainant was on night duty, one Swetha contacted the police helpline and sought assistance. Consequently, he, along with another constable, Mohan, rushed to the petitioner's house and enquired about the incident. At that time, the petitioner, who was under the influence of alcohol, obstructed the police from discharging their official duties and abused them by using filthy language. Hence, the present case.

4. Mr.C.Karthikeyan, learned counsel 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 he has been falsely implicated in this case. He, however, submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. He further submits that the petitioner was arrested and remanded to judicial custody since 03.04.2025. He therefore prays for grant of bail to the petitioner.



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5. Per contra, Mr.A.Thiruvadi Kumar, the learned Additional Public Prosecutor appearing for the respondent-police, submits that there are three previous cases pending against the petitioner. He further submits that if bail is granted to the petitioner, he will commit the similar offence again. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides and perused the records.

7. The petitioner was arrested on 03.04.2025. In view of the offences allegedly committed by the petitioner, and further, the petitioner has permanent residence, and hence, there is less possibility of absconding. 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:

(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 III, Tiruchirappalli;

(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



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Practice, 2019']. The learned Judicial Magistrate III, Tiruchirappalli, shall obtain a
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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 III, Tiruchirappalli;

(iv) The petitioner shall appear and sign before the respondent-Police daily at 10.30 a.m., until further orders;

(v) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNSS, 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

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate III, Tiruchirappalli, 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/-
08/05/2025

/ TRUE COPY /

09/05/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1 THE JUDICIAL MAGISTRATE NO.III
TIRUCHIRAPPALLI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUCHIRAPPALLI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON,
TIRUCHIRAPPALLI.

4 THE INSPECTOR OF POLICE,
SAMAYAPURAM POLICE STATION,
TRICHY DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.8366 of 2025
Date :08/05/2025

SA/SAR. /09.05.2025/6P/6C

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