



CRL OP(MD). No.8430 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/05/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

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V.Raja Mohan

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Thirupparangundram P.S.,
Madurai.
In Cr. No. 122 of 2025.

... Respondent/ Complainant

For Petitioner : Mr.T.Gowthaman,Senior Advocate
for Mr.R.S.Sivaram,
Advocate

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

For Intervener : Mr.A.Naresh Prabhu,
Advocate

PETITION FOR BAIL Under Sec.483 of BNSS, 2023

PRAYER :-

For Bail in Crime No. 122 of 2025 on the file of the respondent-police.



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ORDER : The Court made the following order :-

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 / Accused No.1 was arrested and remanded to judicial custody on 08.04.2025 for the offences punishable under Section 108 of BNS, 2023 in Crime No.122 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the husband of the defacto complainant and the petitioner were friends. The petitioner, along with Accused No.2, received a sum of Rs. 10,00,000/- from the deceased and failed to repay the same. Furthermore, the petitioner transferred the ownership of a car belonging to the deceased, but, did not pay for it. Due to mental agony, the deceased committed suicide by hanging himself from a ceiling fan in his house on 24.02.2025. Hence, the case.

4. Mr.T.Gowthaman, learned Senior Counsel instructed by Mr.R.S.Sivaram, learned counsel on record 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



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by this Court. He further submits that the petitioner was arrested and remanded to judicial custody since 08.04.2025. He therefore prays for grant of bail to the petitioner.

5. Per contra, Mr.S.S.Manoj, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioner herein cheated the husband of the defacto complainant to the tune of Rs.10,00,000/- He further submits that if bail is granted to the petitioner, he may cause threat to the defacto complainant and the witnesses. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Mr.A.Naresh Prabhu, learned counsel appearing for the intervener submits that before committing suicide, the deceased requested the accused persons to pay back the borrowed amount of Rs.10,00,000/-. But they did not repay the amount. Due to which, the husband of the defacto complainant committed suicide. Accordingly, he prays to dismiss the petition.

6. Heard on both sides and perused the records.

7. The petitioner was arrested on 08.04.2025. In view of the offences allegedly committed by the petitioner, the further custody of the petitioner may not be required for the investigating agency. Further, the petitioner has permanent residence, and hence, there is less possibility of absconding. Considering the same,



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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.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 VI, Madurai;

(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 VI, Madurai, 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 VI, Madurai;

(iv) The petitioner shall appear and sign before the respondent-Police daily at 09.00 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



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accused, or suspected, of the commission of which he is suspected;

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(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 VI, Madurai, 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/-
08/05/2025

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/05/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG



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TO
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1. THE JUDICIAL MAGISTRATE VI, MADURAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE SUPERINTENDENT, CENTRAL JAIL, MADURAI.
4. THE INSPECTOR OF POLICE,
THIRUPPARANGUNDRAM P.S.,
MADURAI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8430 of 2025
Date :08/05/2025

HPS/12.05.2025 /6P/6C

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