



CRL OP(MD). No.8575 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.8575 of 2025

Mahesh

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
rep by
the Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli.
(Crime No.258 of 2025).

... Respondent/Complainant

For Petitioner : Mr.Sorimuthu.V,
Advocate
For Respondent : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.258 of 2025 on the file of the respondent-Police.



CRL OP(MD). No.8575 of 2025

ORDER : The Court made the following order :-

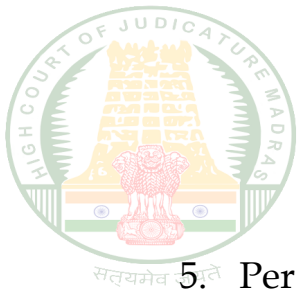
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This Criminal Original Petition has been filed by the petitioner on 06.05.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant bail.

2. The petitioner / Sole Accused was arrested and remanded to judicial custody on 09.04.2025 for the offences punishable under Sections 126(2), 296(b), 109(1) and 351(3) of BNS, 2023 in Crime No.258 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 09.04.2025, the petitioner waylaid the defacto complainant and demanded money from him. When he refused to give, the petitioner abused him by using filthy language and attempted to attack him by using aruval and threatened him with dire consequences. Hence, the case.

4. Mr.V.Sorimuthu, 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 has been in judicial custody since 09.04.2025. He further submits that no one has sustained injury. He therefore prays for grant of bail to the petitioner.



CRL OP(MD). No.8575 of 2025

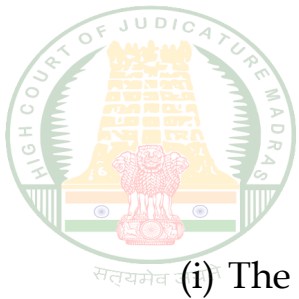
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5. Per contra, Mr.A.Thiruvadi Kumar, the learned Additional Public Prosecutor appearing for the respondent-police, submits that the investigation has been completed and charge sheet was filed before the concerned Court. He further submits that if bail is granted to the petitioner, he may cause threat to the defacto complainant and the witnesses. He further submits that there are two previous cases pending against the petitioner. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides and perused the records.

7. The petitioner was arrested and remanded to judicial custody on 09.04.2025.

In view of the offences allegedly committed by the petitioner, and taking note of the fact that the charge sheet has been filed before the concerned Court, this Court is of the opinion that further custody of the petitioner is not necessary for the Investigating Agency in this case. 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:



CRL OP(MD). No.8575 of 2025

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(i) The petitioner shall execute a bond for a sum of 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, Tirunelveli;

(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 III, Tirunelveli, 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 III, Tirunelveli;

(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 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



CRL OP(MD). No.8575 of 2025

evidence;

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(viii) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate III, Tirunelveli, 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
TO

1. Judicial Magistrate, III, Tirunelveli.
2. Do-Through The Chief Judicial Magistrate,
Thirunelveli District.



CRL OP(MD). No.8575 of 2025

3. The Superintendent, Central Prison, Palayamkottai.

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4. The Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.8575 of 2025

Date :08/05/2025

MK/SAR /09.05.2025 6P/6C

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