



CRL OP(MD)No.8890 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Date : 21.05.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD)No.8890 of 2025

S.Jeganathan

... Petitioner

Vs

The State of Tamil Nadu,  
Represented By the Inspector of Police,  
CBCID South Police Station,  
Kanyakumari District.  
In Crime No.1 of 2025

... Respondent

For Petitioner : Mr.G.Sailendrababu

For Respondent : Mr.R.M.Anbunithi,  
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 BNSS, 2023

PRAYER :-

For Bail in Crime No.1 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial



CRL OP(MD)No.8890 of 2025

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custody on 18.03.2025, for the offences punishable under Sections 61(2), 238, 316(4), 318(4), 335, 336, 337, 338, 339, 340 of Bharatiya Nyaya Sanhita, 2023, in Crime No.1 of 2025, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the Tamil Nadu Urban Habitat Development Board constructed 384 houses (apartments) for persons having an annual income below Rs.3,00,000/- and the petitioner herein, who is working as an Assistant Executive Engineer, along with the other accused, received money from the allottees and illegally allotted houses to 69 unauthorized persons by creating forged documents and by forging the signature of the Administrative Engineer. Hence, the case.

3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that he has been falsely implicated in this case and the petitioner is ready to abide by any conditions that may be imposed by this Court. Therefore, he prays for grant of bail.

4.The learned Additional Public Prosecutor appearing for the respondent opposed for grant of bail on the ground that the petitioner and other accused illegally conspired and received more than a sum of Rs.50,00,000/- from the general public by executing a fake document and allotment order. He fairly submits that the



CRL OP(MD)No.8890 of 2025

co accused was already released on bail.

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5.Considering the fact that co accused was already released on bail and considering the duration of custody, this Court is inclined to grant bail to the petitioner on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Kanyakumari District and on further conditions that,

a)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

b)the petitioner shall deposit a sum of Rs.5,00,000/-, as agreed above, to the credit of Crime No.1 of 2025 before the learned Judicial Magistrate No.I, Nagercoil, Kanyakumari District, without prejudice to his rights and contentions before the trial Court within a period of 30 days from the date of receipt of copy of this order and produce the receipt/acknowledgment before the concerned Judicial Magistrate. Upon such deposit, the concerned Magistrate shall deposit the said amount in a fixed deposit scheme in any one of the Nationalized Bank for a period of one year,



CRL OP(MD)No.8890 of 2025

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and thereafter, renew the same until the conclusion of the trial. The trial Court shall pass an order qua entitlement of the said amount in its final order/judgment;

c)the petitioner shall report before the respondent Police daily at 10.30 a.m., until further orders;

d)the petitioner shall not tamper with evidence or witness;

e)the petitioner shall not abscond during trial;

f)On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

g) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-  
21/05/2025

/ TRUE COPY /

22 /05/2025  
Sub-Assistant Registrar (V)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



CRL OP(MD)No.8890 of 2025

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Mrn

TO

1. The Judicial Magistrate No.I,  
Nagercoil, Kanyakumari District.
  2. THE CHIEF JUDICIAL MAGISTRATE,  
KANNIYAKUMARI DISTRICT AT NAGERCOIL.
  3. THE OFFICER IN CHARGE, Sub Jail,  
Nagercoil.
  4. The Inspector of Police,  
CBCID South Police Station,  
Kanyakumari District.
  5. The Inspector of Police,  
Thoothukudi Central Police Station,
  6. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.
- +1. CC to SAILENDRABABU.G Advocate SR.No.5690(I)DT.22/05/2025

ORDER

IN

CRL OP(MD) No.8890 of 2025

Date :21/05/2025

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