



CRL OP(MD). No.9071 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P.VADAMALAI,

CRL OP(MD). No.9071 of 2025

K. Rajesh

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.
Cr.No.262/2025.

... Respondent/ Complainant

For Petitioner : Mr. N.Thamizhanban
Advocate.

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Cr.No.262 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 custody

on 06.05.2025 for the alleged offences under sections 309(4) of BNS, 2023 in Crime

<https://www.tnmc.in.gov.in/judis>



CRL OP(MD). No.9071 of 2025

No.262 of 2025 on the file of the respondent police seeks bail

WEB COPY

2. The case of the prosecution is that on 06.05.2025 at about 6.00 am while the defacto complainant was near the cremation ground between Kollangudi and Thuvakudi, the petitioner herein along with other accused have waylaid him and committed robbery of Lenova Cell Phone worth about Rs.5,000/- and cash of Rs.650/- from the defacto complainant. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the co-accused has already been released on bail by the Sessions Court, Sivagangai and the petitioner is in judicial custody from 06.05.2025 and hence, he seeks bail.

4. The learned Government Advocate (Crl. side) appearing for the respondent – Police submitted that the petitioner is a history sheeted rowdy and that there are 14 previous cases pending against the petitioner. He further submitted that the properties have been recovered from the petitioner and the investigation of the case is pending and hence, he opposed to grant bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the fact that the property has been recovered from the petitioner and that the co-accused has already been released on bail by the Sessions Court and also taking into



CRL OP(MD). No.9071 of 2025

consideration of the fact that the petitioner is in judicial custody from 06.05.2025,
WEB COPY
this court is inclined to grant bail to the petitioner, subject to the certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Sivagangai District and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.00 am until further orders;

[c] the petitioner shall submit his residential address and contact number before the learned Judicial Magistrate No.I, Sivagangai District. If he changes the residence, he shall inform the same to the concerned Magistrate without fail.

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not tamper with evidence or witness either during investigation or 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



CRL OP(MD). No.9071 of 2025

WEB COPY

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]; and

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
09/06/2025

/ TRUE COPY /

/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. The Judicial Magistrate No.I, Sivagangai District
2. Do-Through The Chief Judicial Magistrate,
Sivagangai District.
3. The officer incharge, District Jail, Ramanathapuram.
4. The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

<https://www.mhc.tn.gov.in/judis>



WEB COPY



CRL OP(MD). No.9071 of 2025

ORDER
IN
CRL OP(MD) No.9071 of 2025
Date :09/06/2025

MK/09.06.2025 5P/6C

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