



CRL OP(MD). No.9367 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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C.Ajithkumar,
S/o.Chinnadurai,
No.1/43, Middle Street,
Vairavikinaru, Koodankulam,
Tirunelveli District.

..Petitioner/ Accused

Vs

The State rep.by
The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(Crime No.189 of 2025)

... Respondent/ Complainant

For Petitioner : M/s.G.Manikandan
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.189 of 2025 on the file of the Respondent Police.



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ORDER: This Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 05.04.2025 for the offences punishable under Sections 296(b), 109(1), 351(1) of BNS and Section 4 of TNPHW Act in Crime No.189 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 29.03.2025 at about 8.30p.m. the petitioner came in front of the defacto-complainant's house, picked up quarrel by using filthy language and attacked the defacto-complainant with lethal weapon and threatened him with dire consequences. Hence, the case.

3. The learned counsel for the petitioner would submit that due to previous enmity a false case has been foisted against this petitioner. There is counter case in Crime No.190 of 2025. The petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. The petitioner is ready and willing to abide and conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 05.04.2025 nearly 63 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that due previous enmity between the defacto-complainant and the accused, on 29.03.2025,



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this petitioner attacked the defacto-complainant with lethal weapon and abused him by using filthy language. In this case, the injured person was discharged from hospital on 08.04.2025. One case in counter in Crime No.190 of 2025 is pending. This petitioner is having 22 previous cases. In this case, investigation is not yet completed. Hence, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that a case in counter in Crime No.190 of 2025 is pending, in this case, investigation might have been completed and considering the fact that the petitioner/accused remanded into judicial custody on 05.04.2025, taking into consideration of the period of incarceration. This court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of Judicial Magistrate, Radhapuram 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 furnish his residential address and mobile number to



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the Judicial Magistrate, Radhapuram. If the petitioner changes his residential
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address, he shall report the same to the Judicial Magistrate, Radhapuram;

[c] the petitioner shall appear and sign before the respondent police daily at
05.30p.m. until further orders.

[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
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 BNS.

sd/-
05/06/2025

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



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TO

1 THE JUDICIAL MAGISTRATE,
RADHAPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI.

3 THE OFFICER INCHARGE,
SUB JAIL, NANGUNERI.

4. The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.

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

ORDER

IN

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Date :05/06/2025

MK/05.06.2025 5P/6C

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