



CRL OP(MD).No.9228 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.9228 of 2025

and

CrI.M.P.(MD).No.6984 of 2025

V.Mariyappan,
S/o.Velu Pillai,

..Petitioner/ Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli.
(Crime No.185 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.T.Leninkumar
Advocate.

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

For Intervener : Mr.A.Subramanian
Advocate

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.185 of 2025 on the file of the Respondent Police.



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ORDER: This Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 08.05.2025 for the offences punishable under Sections 296(b), 351(3), 115(2), 118(1) of BNS, 2023 and Section 4 of the TNPHW Act in Crime No.185 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that money dispute was pending between the defacto-complainant and the petitioner. Due to which, the defacto-complainant lodged a compliant against the petitioner, counter cases have been registered against the petitioner and the defacto-complainant in Cr.No.69 & 70 of 2025 respectively. On 07.05.2025, at about 2.15p.m. When the complainant was riding her two wheeler towards her house, at that time, the petitioner through his bike dashed the complainant's two wheeler and abused her in filthy language and threatened her to withdraw the case. Hence, the case.

3. The learned counsel for the petitioner would submit that earlier the defacto-complainant borrowed money from the petitioner and she failed to repay the same, the same was questioned by the petitioner, she lodged a false complaint against the petitioner. Counter case in Crime No.69 & 70 of 2025 are pending before the respondent police. The learned counsel for the petitioner would further submit that the petitioner is an innocent person and he has not committed any offences as alleged



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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 08.05.2025 nearly 46 days. Hence, he seeks bail.

4. The learned Counsel appearing for the intervener would submit that the petitioner herein had deceived the complainant and swindled money for a sum of Rs.10,00,000/-. Already this petitioner herein has granted Anticipatory bail by this Court. The 2nd respondent police had filed a petition for cancellation of Anticipatory Bail and the same was allowed on 08.05.2025. Since then the petitioner herein was in judicial custody. This petitioner is a history sheeter and he is having so many previous cases. There is a previous enmity regarding cheating huge amount from the defacto-complainant, for which separate proceedings have been initiated in Crime Nos.69 and 70 of 2025 pending on the file of Town Police Station, Tirunelveli. This petitioner keeping the previous enmity in mind, attacked the defacto-complainant with weapon in public place and abused her and threatened her to withdraw the complaint give by her in the cheating case. However, he strongly objected to grant bail to the petitioner.

5. The learned Government Advocate (Criminal Side) would submit that there was a money dispute pending between the defacto-complainant and the petitioner, in which a separate proceedings in Crime Nos.69 & 70 of 2025 are pending before the



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respondent police. This petitioner keeping the previous enmity in mind, attacked the defacto-complainant with weapon in public place and abused her and threatened her to withdraw the complaint give by her in the cheating case. In this case, complainant had sustained simple injury admitted in hospital and later she discharged on 14.05.2025. Hence, he strongly objected to grant bail to the petitioner.

6. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that in this case, FIR was registered on 07.05.2025, at this time, the investigation might have been completed, the petitioner/accused remanded into judicial custody on 08.05.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

7. 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 No.IV, Tirunelveli 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 contact number to



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the Judicial Magistrate No.IV, Tirunelveli. If the petitioner changes his residential address, he shall report the same to the Judicial Magistrate No.IV, Tirunelveli;

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[c] the petitioner shall appear and sign before the respondent police daily twice at 10.30 a.m and 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.

8. Consequently, Connected miscellaneous petition is closed.

sd/-
17/06/2025

/ TRUE COPY /

17/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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GVN जयते
TO
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1 THE JUDICIAL MAGISTRATE NO.IV,
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
TIRUNELVELI JUNCTION POLICE STATION,
TIRUNELVELI.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-6389[I] dated 17/06/2025)

ORDER IN
CRL OP(MD) No.9228 of 2025
Date :17/06/2025

SA/SAR. /17.06.2025/6P/7C

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