



CRL OP(MD). No.9709 of 2025

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

Date : 11.06.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

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Alagumalai,
S/o.Jeyaraman

...Petitioner / Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai District.
(Crime No.107 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.K.K.Samy,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS, 2023.

PRAYER :- For Bail in Crime No.107 of 2025 on the file of the respondent police.



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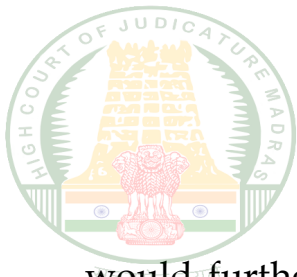
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ORDER : The Court made the following order :-

The petitioner / accused, who was arrested and remanded to judicial custody on 15.04.2025 for the offences under Section 306 of Bharatiya Nyaya Sanhita, 2023, in Crime No.107 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the first accused had worked as an accountant, and the second accused had worked as a watchman in the company managed by the defacto complainant, who is the Project Manager of the said company. The second accused was residing in the company property (godown) located at Seenivasa Colony and was entrusted with guarding 25 motor and gear boxes, collectively valued at approximately Rs.6,00,000/-. On 10.02.2025, the defacto complainant visited the godown and found all the materials in proper condition. Thereafter, the second accused took leave during the Sivaratri festival and failed to return to duty. Consequently, the defacto complainant visited the godown on 31.03.2025 and, upon opening it, discovered that the motor and gear boxes were missing. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted against the petitioner. He



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would further submit that the petitioner is in custody from 15.04.2025. Hence, he
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seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that there are totally four accused persons in this case and the petitioner has been arrayed as A1. He would further submit that only two motors, one gear box and Rs.30,000/- were recovered from the accused persons. He would further submit that there are no previous cases against the petitioner. He, however, would submit that the investigation in this case is still pending and that, at this stage, if bail is granted to the petitioner, he will abscond and tamper with the evidence. He, therefore, opposes the grant of bail to the petitioner.

5. This Court has heard the learned counsel on both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the nature of the offence allegedly committed by the petitioner and also taking into consideration the period of incarceration, this court is inclined to grant bail to the petitioner, however, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his 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 learned Judicial Magistrate No.VI,



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Madurai, and on further conditions that:-

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[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.

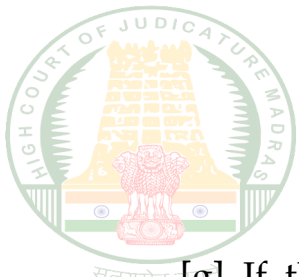
[b] the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.VI, Madurai. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.VI, Madurai.

[c] the petitioner shall appear and sign before the respondent police daily twice at 10.30 a.m. and 05.30 p.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].



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

8. In the result, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
11/06/2025

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11 /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 No.VI,
Madurai.
2. Do-Through The Chief Judicial Magistrate,
Madurai District.
3. The Officer-in-Charge,
Sub-Jail,
Thirumangalam.
4. The Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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ORDER

IN

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Date :11/06/2025

HPS/11.06.2025 /6P/6C

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