



CRL OP(MD). No.9212 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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Sivasubbu @ Siva

... Petitioner/ Accused

Vs

The State of Tamilnadu Rep.By,
The Inspector of Police, Tirunelveli
Town Police Staion, Tirunelveli City,
(In Cr.No.143/2025).

... Respondent/ Complainant

For Petitioner : Mr. C.Venkatesh
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.143 /2025 on the file of the respondent Police.



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ORDER: The Court made the following order :-

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The petitioner/Accused, who was arrested and remanded to judicial custody on 18.05.2025 for the alleged offences punishable under sections 296(b), 115 (2), 109, 351(3) of BNS, 2023 in Crime No.143 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity, there was a wordy quarrel arose between the parties and that the petitioner herein has attacked the defacto complainant and also abused him in filthy language. 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 and his name has been falsely implicated in this case. Hence, he seeks bail.

4. The learned Government Advocate (Crl. side) appearing for the respondent – Police submitted that no one has sustained injury in the said occurrence. He further submitted that the petitioner is a habitual offender and he is a History sheeted Rowdy and hence, he strongly, opposed to grant bail to the petitioner.



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5. Taking into consideration the facts and circumstances of the case and also the fact that no one has sustained injury in the said occurrence and also taking into consideration the period of incarceration, 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.IV, Thirunelveli 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 10.30 am and 5.00 pm., until further orders;

[c] the petitioner shall submit his residential address and contact number before the learned Judicial Magistrate No.IV, Thirunelveli. 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



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investigation or trial;

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[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]; and

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

sd/-
04/06/2025

/ 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.IV, THIRUNELVELI
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISION,
PALAYAMKOTTAI, THIRUNELVLEI DISTRICT.
4. THE INSPECTOR OF POLICE,
TIRUNELVELI TOWN POLICE STAION, TIRUNELVELI CITY.



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

ORDER
IN
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Date :04/06/2025

HPS/05.06.2025 /5P/6C

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