



CRL OP(MD). No.9225 of 2025

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

Date : 12.06.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD). No.9225 of 2025

Rabin @ Rabinston,
S/o.Sahayam

...Petitioner / Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.
(Crime No.398 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.SMA.Jinnah,
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.398 of 2025 on the file of the respondent police.



CRL OP(MD). No.9225 of 2025

ORDER: The Court made the following order :-

The petitioner / accused, who was arrested and remanded to judicial custody on 10.05.2025 for the offences under Section 4 of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 (TNPPDL Act), in Crime No.398 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is married and has two sons and one daughter. He owns a boat bearing Registration No.IND-TN-12MO-6086 and earns a meagre income from it. In the given circumstances, it is alleged that the defacto complainant's brother's daughter was in a love affair with the petitioner. As a result, the defacto complainant advised the petitioner regarding the same. Aggrieved by this, the petitioner set fire to the defacto complainant's boat. 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 would further submit that a counter-case has been registered in Crime No.399 of 2025. He would also submit that the defacto complainant had attacked the petitioner, resulting in the petitioner being admitted to the hospital for treatment.



CRL OP(MD). No.9225 of 2025

WEB COPY

He would also submit that the petitioner undertakes to deposit a sum of Rs.75,000/- (Rupees Seventy-Five Thousand only). He would further submit that the petitioner is in custody from 10.05.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the defacto complainant is the owner of a fishing boat and that the accused was involved in a love affair with the daughter of the defacto complainant's brother, which caused disturbances within the family. When the defacto complainant warned the accused, the accused, on 08.05.2025, set fire to the defacto complainant's boat, causing damage valued at Rs.9,00,000/-. He would further submit that there is one previous case 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 cause threat to the defacto complainant 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, the nature of the offence allegedly committed by the petitioner, the period of incarceration, and also taking note of the undertaking given by the petitioner, this court is inclined to grant bail to the petitioner, however, subject to the following conditions:



CRL OP(MD). No.9225 of 2025

WEB COPY

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.I, Thoothukudi, 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 the learned Judicial Magistrate No.I, Thoothukudi. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.I, Thoothukudi.

[c] the petitioner shall deposit a sum of Rs.75,000/- (Rupees Seventy Five Thousand only) to the credit of the Crime No.398 of 2025 on the file of the respondent-police, before the learned Judicial Magistrate No.I, Thoothukudi, and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner and learned Judicial Magistrate shall deposit the said amount in an interest bearing Fixed Deposit in any nationalized Bank initially for a period of one year and renew them periodically until the final order / judgment is



CRL OP(MD). No.9225 of 2025

passed in the case in Crime No.398 of 2025. The Trial Court shall decide the
entitlement to the deposit amount at the time of passing the final order or judgment.

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[d] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m. until further orders.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] 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].

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



CRL OP(MD). No.9225 of 2025

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

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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 No.I,
Thoothukudi.
2. Do-Through The Chief Judicial Magistrate,
Thoothukudi District.
3. The Superintendent,
Central Prison,
Palayamkottai, Tirunelveli.
4. The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.9225 of 2025
Date :12/06/2025

MK/12.06.2025 6P/6C

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