



CRL OP(MD). No.9628 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
WEB COPY

( Criminal Jurisdiction )

Date : 10.06.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

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Layo @ Layones,  
S/o.Sakariya

...Petitioner / Accused No.2

Vs

The State of Tamil Nadu,  
Rep by the Inspector of Police,  
Kulasekara Patnam Police Station,  
Thoothukudi District.  
(Crime No.213 of 2021)

... Respondent/ Complainant

For Petitioner : Mr.M.Pandian,  
Advocate.

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

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

PRAYER :- Criminal Original Petition filed under Section 483 of the Bharatiya  
Nagarik Suraksha Sanhita, 2023 (BNSS), to release the petitioner on bail by recalling



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the warrant executed in connection with in S.C. No.378 of 2023 pending on the file of  
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the Sub-Court, Thiruchendur, in Crime No.213 of 2021 on the file of the respondent  
police.

ORDER : The Court made the following order :-

The petitioner / accused, who was arrested and remanded to judicial custody on 10.04.2025 for the offences under Sections 294(b), 307, 506(ii) and 352 of Indian Penal Code, 1860, and Section 5 of the Explosive Substances Act, 1908, in Crime No.213 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that while the defacto complainant was in petrol bunk, the petitioner along with other accused persons threatened him by keeping explosive substance in their hands and thus, the defacto complainant registered the case against the petitioner and other accused persons. 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 the petitioner undertakes to appear before the Trial Court on every hearing dates. He would further submit that the petitioner is in custody



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from 10.04.2025. Hence, he seeks bail.

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4. The learned Government Advocate (Criminal Side) would submit that there are totally three accused persons in this case and the petitioner has been arrayed as A2. He would further submit that investigation in this case has been completed and charge sheet has also been filed and the same was taken on file in S.C.No.378 of 2023 before the Sub-Court, Tiruchendur. He would further submits that NBW was issued against the petitioner on 18.03.2025 and the petitioner was arrested on 10.04.2025. He would further submit that the petitioner has already filed bail petition before the Sub-Court, Tiruchendur in Crl.M.P.No.11 of 2025 and the same was dismissed on 24.04.2025. He would further submit that there are six previous cases against the petitioner. He, therefore, would submit 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



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nature of the offence allegedly committed by the petitioner and also taking into  
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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 Court, Thiruchendur, 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 Judicial Magistrate Court, Thiruchendur. If the petitioner changes his residential address, he shall report the same to the Judicial Magistrate Court, Thiruchendur.

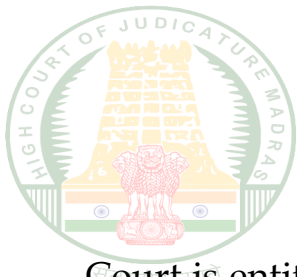
[c] the petitioner shall appear and sign before the Sub-Court, Thiruchendur on all working days at 10.30 a.m. until further orders.

[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

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Court is entitled to take appropriate action against the petitioner in accordance with  
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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 of BNS, 2023.

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

sd/-  
10/06/2025

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10 /06/2025  
Sub-Assistant Registrar  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

PAL

TO

1. THE SUB-COURT,  
THIRUCHENDUR.

2. THE JUDICIAL MAGISTRATE COURT,  
THIRUCHENDUR.



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3. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THOOTHUKUDI DISTRICT.

4. THE SUPERINTENDENT,  
CENTRAL PRISON,  
PALAYAMKOTTAI.

5. THE INSPECTOR OF POLICE,  
KULASEKARAN PATNAM POLICE STATION,  
THOOTHUKUDI DISTRICT.

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

ORDER  
IN

CRL OP(MD) No.9628 of 2025

Date :10/06/2025

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