



CRL OP(MD).No.9505 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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Sadham Ushen,
S/o.Haja Najibudeen,
Melakaratheru,
Melathirupanthiruthi,
Thiruvaiyaru Taluk,
Thanjavur District.

..Petitioner/ Accused No.2

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Nadukaveri Police Station,
Thanjavur.
(Crime No.78 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.A.Sivasubramanian
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.78 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 15.03.2025 for the offences punishable under Sections 333, 296(b), 324(6),



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232(1) and 109(1) of BNS r/w.25(1A) of Arms Act in Crime No.78 of 2025 on the file

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of the respondent police, seeks bail.

2. The case of the prosecution is that earlier in the year 2021, one Rajakannu, the first accused in this case attacked the defacto-complainant, in which a criminal case is lodged against him and the same was pending. He asked the defacto-complainant not to depose evidence against him. But, the defacto-complainant has deposed witness against him. Due to the said act, on 15.03.2025, the first accused and this petitioner and other accused persons have attacked the defacto-complainant and threatened with dire consequences. 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 offences as alleged by the prosecution. The petitioner is ready and willing to abide and conditions that may be imposed by this Court. This petition is a second bail application. He would further submit that the petitioner is in custody from 15.03.2025 nearly 77 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that due to previous enmity, the first accused and other accused persons threatened and attacked the defacto-complainant with lethal weapon. He sustained severe injury and admitted in hospital. Later, on 28.03.2025, he discharged from hospital. In this case,



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this petitioner was arrayed as second accused. A3 obtained bail before the subordinate Court. A4 is still in judicial custody. This petitioner is having six previous cases. In this case, investigation is still pending. Hence, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the other co-accused was granted bail by the subordinate Court, in this case, investigation might have been completed, the petitioner/accused remanded into judicial custody on 15.03.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

6. 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, Thiruvaiyaru 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, Thiruvaiyaru. If the petitioner changes his residential address, he



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shall report the same to the Judicial Magistrate, Thiruvaiyaru;

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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.

sd/-
09/06/2025

/ TRUE COPY /

09/06/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN
TO
1 THE JUDICIAL MAGISTRATE,
THIRUVAIYARU.



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2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.

4 THE INSPECTOR OF POLICE,
NADUKAVERI POLICE STATION,
THANJAVUR.

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

ORDER
IN
CRL OP(MD) No.9505 of 2025
Date :09/06/2025

SA/SAR. /09.06.2025/5P/6C

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