



CRL OP(MD).No.9684 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.9684 of 2025

Santhoshkumar,
S/o.Subramanian,
Kellakulam,
Muthupatti,
Sivagangai District.

..Petitioner/ Accused No.2

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
(Crime No.168 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.G.Karuppiah
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.168 of 2025 on the file of the Respondent Police.



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ORDER : This Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 22.03.2025 for the offences punishable under Sections 126(2), 296(b), 309 (4) of BNS Act and 25(1-A) of Arms Act in Crime No.168 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 22.03.2025, at about 03.30hrs, the Defacto-complainant walking near the occurrence place, the petitioner and other accused person have wrongfully restrained the Defacto-complainant and abused him with filthy language and extorted a sum of Rs.2,000/- from him and also threatened him 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 any conditions that may be imposed by this Court. In this case, the first accused was already granted bail by the Principal sessions Judge, Sivagangai. He would further submit that the petitioner is in custody from 22.03.2025 nearly 80 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner and other accused person have wrongfully restrained the Defacto-



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complainant and abused him with filthy language and extorted a sum of Rs.2,000/- from him by using prohibited weapon of sword. This petitioner is having five previous cases. In this case, the first accused was already granted bail by the learned Principal Sessions Judge, Sivagangai. However, 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 already the co-accused was granted bail by an order dated 09.06.2025 on the file of the learned Principal Sessions Judge, Sivagangai, the petitioner/2nd accused remanded into judicial custody on 22.03.2025, 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 the Judicial Magistrate No.1 Court, Sivagangai, Sivagangai District 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



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the Judicial Magistrate No.1 Court, Sivagangai, Sivagangai District. If the petitioner changes his residential address, he shall report the same to the Judicial Magistrate No.1 Court, Sivagangai, Sivagangai District;

[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/-
10/06/2025

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10/06/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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GVN
TO

1. THE JUDICIAL MAGISTRATE NO.1,
SIVAGANGAI, SIVGANGAI DISTRICT.
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE OFFICER INCHARGE,
DISTRICT JAIL,
RAMNAD DISTRICT.
4. THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN

CRL OP(MD) No.9684 of 2025
Date :10/06/2025

HPS/10.06.2025 /5P/6C

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