



CRL OP(MD). No.9873 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
WEB COPY

(Criminal Jurisdiction)

Date : 12.06.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD). No.9873 of 2025

Kumar,
S/o.Sudalaimuthu

...Petitioner / Accused No.2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.
(Crime No.124 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.G.Sarathkumar,
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.124 of 2025 on the file of the respondent police.

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.9873 of 2025

WEB COPY

ORDER : The Court made the following order :-

The petitioner / accused, who was arrested and remanded to judicial custody on 21.03.2025 for the offences under Sections 296(b), 109(1), 118(1) and 351(3) of the Bharatiya Nyaya Sanhita (BNS), 2023, and Section 25(1A) of Arms Act, 1959, in Crime No.124 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 21.03.2025, at about 16.00 hours, the defacto complainant lodged a complaint before the respondent police. According to the complaint, on the same day at around 03.00 p.m., while the defacto complainant and one Ramchandran were walking near the bridge, the accused persons intercepted them, engaged in a quarrel using filthy language, and threatened to kill them. When nearby pedestrians attempted to intervene and rescue the defacto complainant and Ramchandran, the accused persons threatened them with a knife and an aruval (sickle). Fearing harm, the public dispersed and ran for shelter. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an



CRL OP(MD). No.9873 of 2025

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 A1, A3, and A4 have already been enlarged on bail by the Trial Court. He would further submit that the petitioner is in custody from 21.03.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that there are totally four accused persons in this case and the petitioner has been arrayed as A2. He would further submit that there are nine previous cases registered against the petitioner, out of which he has been acquitted in four cases. 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 and the nature of the offence allegedly committed by the petitioner and also taking into



CRL OP(MD). No.9873 of 2025

consideration the period of incarceration, this court is inclined to grant bail to the
WEB COPY
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 No.I, Kovilpatti, 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, Kovilpatti. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.I, Kovilpatti.

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



CRL OP(MD). No.9873 of 2025

WEB COPY

[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 of BNS, 2023.

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

sd/-
12/06/2025

/ TRUE COPY /

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



CRL OP(MD). No.9873 of 2025

pal
TO COPY

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

ORDER
IN
CRL OP(MD) No.9873 of 2025
Date :12/06/2025

HPS/12.06.2025 /6P/6C

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