

CRL OP(MD). No.9889 of 2025

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

Date : 12.06.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD). No.9889 of 2025

Selvakumar,
S/o.Venkatachalam

...Petitioner / Accused
Rank Not Known

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Panagudi Police Station,
Tirunelveli District.
(Crime No.457 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.M.Maharaja,
Advocate.

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

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



CRL OP(MD). No.9889 of 2025

PRAYER :- For Bail in Crime No.457 of 2025 on the file of the respondent police.

WEB COPY

ORDER : The Court made the following order :-

The petitioner / accused, who was arrested and remanded to judicial custody on 09.05.2025 for the offences under Section 309(6) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.457 of 2025 on the file of the respondent police, seeks bail.

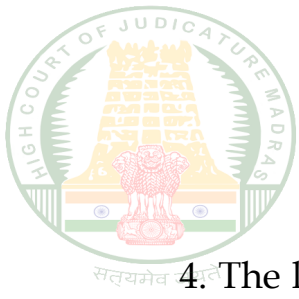
2. The case of the prosecution is that the defacto complainant has been employed as a supervisor at the SAV Petrol Pump located in Punniyavalanpuram for the past 14 years. He works under the ownership of Mr.Manilal's son, Mr. Grahambell. As part of his routine duties, the defacto complainant, along with his co-worker Mr.Rajkumar from Panagudi, is responsible for depositing the daily earnings of the petrol pump at the State Bank of India (SBI) branch situated within the ISRO complex at Kavalkinaru. On 05.05.2025, at approximately 11:00 a.m., as the bank had remained closed for the preceding two days, the defacto complainant proceeded to deposit a sum of Rs.36,06,000/- (Rupees Thirty-Six Lakh and Six Thousand Only), collected from the petrol pump. While traveling from north to south along the Kanyakumari-Tirunelveli National Highway on his Honda Aviator two-wheeler



CRL OP(MD). No.9889 of 2025

bearing registration number TN-72-AV-8440, and upon reaching the vicinity of the
WEB COPY
Seevalapperi Sudalai Temple, the defacto complainant was intercepted and attacked
by three unknown persons. The assailants forcefully pushed the defacto
complainant's two-wheeler, causing him to fall to the ground. They then snatched
the bag containing the aforementioned sum of money and fled the scene. The
defacto complainant sustained injuries due to the fall. 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 petitioner is employed at a shop in Coimbatore. All the
accused persons were arrested at Ooty. The petitioner, being unaware of the offence
committed by the other accused, had accompanied them to Ooty. According to the
confession of the co-accused, a sum of Rs.1,00,000/- (Rupees One Lakh Only) was
given to the petitioner, which has since been recovered following his arrest. The
remaining amount involved in this case has also been recovered from the co-accused
persons. He would further submit that the petitioner is in custody from 09.05.2025.
Hence, he seeks bail.



CRL OP(MD). No.9889 of 2025

WEB COPY

4. The learned Government Advocate (Criminal Side) would submit that there are totally ten accused persons in this case and the petitioner has been arrayed as A6. He would further submit that only Rs.26,00,000/- (Rupees Twenty Six Lakhs only) has been recovered from the accused persons. He would further submit that there no previous cases 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 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 nature of the offence allegedly committed by the petitioner and also taking into 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,



CRL OP(MD). No.9889 of 2025

Valliyoör, and on further conditions that:-

WEB COPY

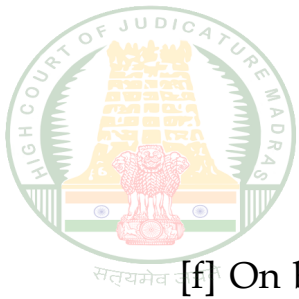
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate Court, Valliyoor. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate Court, Valliyoor.

[c] the petitioner shall appear and sign before the respondent police daily twice at 10.30 a.m. and 02.30 p.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.



CRL OP(MD). No.9889 of 2025

WEB COPY

[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.

pal
TO

1. The Judicial Magistrate,
Valliyoar.

2. Do-Through The Chief Judicial Magistrate,
Tirunelveli District.

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



CRL OP(MD). No.9889 of 2025

3. The Superintendent,
Central Prison,
Palayamkottai.

4. The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN

CRL OP(MD) No.9889 of 2025
Date :12/06/2025

HPS/12.06.2025 /7P/6C

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