



CRL OP(MD).No.9935 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.9935 of 2025

Nikash,
S/o.Muruganantham,
No.102, West Street,
Perunkulam,
Ramanathapuram District.

..Petitioner/ Accused
No.3

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.
(Crime No.88 of 2025)

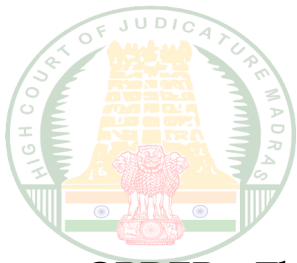
.. Respondent/Complainant

For Petitioner : Mr.S.Ananthamurugan
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.88 of 2025 on the file of the Respondent Police.



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ORDER: This Court made the following order :-

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The petitioner / Accused No.3, who was voluntarily surrendered before the Judicial Magistrate No.II, Rameshwaram and remanded to judicial custody on 23.05.2025 for the offences punishable under Sections 126(2), 296(b), 118(1) and 109 of BNS in Crime No.88 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 27.04.2025, when the defacto-complainant and his relative were arriving by two wheeler, at that time, the petitioner and other accused persons waylaid the vehicle and attacked in the defacto-complainant's head with iron rod and escaped from the scene of occurrence. He sustained severe injury and admitted in hospital. Hence, the case.

3. The learned counsel for the petitioner would submit that due to previous enmity, the defacto-complainant has lodged a false complaint against this petitioner. The petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. There was one case in counter in Crime No.89 of 2025 is pending before the respondent police. The petitioner is ready and willing to abide and conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 23.05.2025 nearly 25 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that due to previous enmity, on 27.04.2025, the accused persons waylaid the two wheeler of



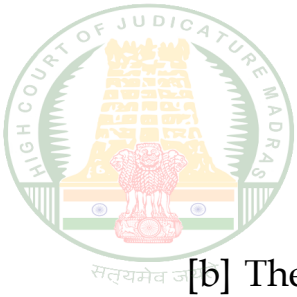
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the defacto-complainant and attacked him by using iron rod. He sustained severe head injury and admitted in hospital. One week before, the injured person was discharged from hospital. In this case, totally there are three accused, this petitioner was arrayed as Accused No.3. This petitioner is having three previous cases. Hence, he strongly 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 in this case, the injured person was discharged from hospital, the petitioner/accused No.3 voluntarily surrendered and remanded into judicial custody on 23.05.2025, 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 No.II, Ramanathapuram 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.



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[b] The petitioner shall furnish his residential address and contact number to the Judicial Magistrate No.II, Ramanathapuram. If the petitioner changes his residential address, he shall report the same to the Judicial Magistrate No.II, Ramanathapuram;

[c] the petitioner shall appear and sign before the respondent police daily 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 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



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Section 269 BNS.

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16/06/2025

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

GVN

TO

1. THE JUDICIAL MAGISTRATE NO.II,
RAMANATHAPURAM
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
3. THE OFFICER INCHARGE,
DISTRICT PRISON,
RAMANATHAPURAM.
4. THE INSPECTOR OF POLICE,
UCHIPULI POLICE STATION,
RAMANATHAPURAM DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.9935 of 2025

Date :16/06/2025

HPS/16.06.2025 /5P/6C

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