

CRL OP(MD). No.10130 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.06.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD). No.10130 of 2025

Moorthi,
S/o.Chinraj

...Petitioner / Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Avaniyapuram Police Station,
Madurai District.
(Crime No.288 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.K.Alagumalai,
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.288 of 2025 on the file of the respondent police.



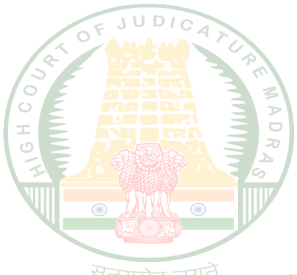
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ORDER: The Court made the following order :-

The petitioner / accused, who was arrested and remanded to judicial custody on 21.05.2025 for the offences under Sections 296(b), 121(2), 132, and 351(3) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.288 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 21.05.2025 at 5:00 PM, the petitioner assaulted a Head Constable of V2 Avaniyapuram Police Station, while he was on official patrol duty. It is alleged that, when the said constable questioned the petitioner regarding a prior assault complaint made by his mother, the petitioner abused him in filthy language, slapped him, pushed him to the ground, sat on his chest, and punched him repeatedly. It is further alleged that the petitioner threatened to kill the constable using a stone lying nearby. 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 the injured person was discharged from the hospital on the



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very next day after the date of occurrence. He would further submit that the petitioner is in custody from 21.05.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner abused the defacto complainant in filthy language, slapped him, pushed him to the ground, sat on his chest, and punched him repeatedly. He would further submit that there is one previous case 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 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 consideration the period of incarceration, this court is inclined to grant bail to the petitioner, however, subject to the following conditions:



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7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate No.VI, Madurai, 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.VI, Madurai. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.VI, Madurai.

[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.



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[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/-
18/06/2025

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18/06/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL

TO

1 THE JUDICIAL MAGISTRATE NO.VI
MADURAI.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI.

3 THE INSPECTOR OF POLICE,
AVANIYAPURAM POLICE STATION,
MADURAI

4 THE OFFICER INCHARGE,
DISTRICT JAIL, DINDIGUL.

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

+1 CC to M/s.R.MUTHUKUMARAN, Advocate (SR-6490[I] dated 18/06/2025)

ORDER
IN
CRL OP(MD) No.10130 of 2025
Date :18/06/2025

SS/SAR- /18/06/2025/ 6P/7C

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