



CRL OP(MD).No.10446 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.10446 of 2025

Parthiban,
S/o.Ramalingam,

..Petitioner/ A2

Vs

The State of Tamilnadu
rep.by The Sub-Inspector of Police,
Thiruvatar Police Station,
Kanniyakumari District.
(Crime No.285 of 2024)

.. Respondent/ Complainant

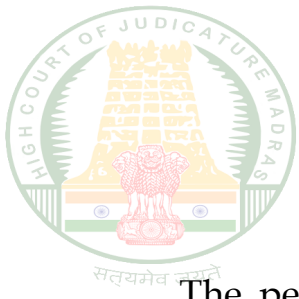
For Petitioner : Mr.S.Thilagavarma,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in S.C.No.320 of 2024 on the file of the Additional District and Sessions Court, Padmanabapuram in connection with Crime No.285 of 2024 on the file of the Respondent Police.

ORDER: This Court made the following order :-



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The petitioner /A2, who was arrested and remanded to judicial custody on 23.08.2024 for the offences punishable under Sections 308(2), 311, 331(4) and 332(a) of BNS altered into Sections 3(5), 61(2), 308(5), 331(6), 332(b), 317(5) and 311 of BNS, in Crime No.285 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 18.07.2024 at about 01.00 am., when the defacto complainant was sleeping in her house, the petitioner and other accused persons entered into the house of the defacto complainant and robbed 78 ³/₄ sovereigns of gold jewels worth about Rs.23,62,500/- and some amount by threatening and attacking the defacto complainant and her father at knife point. 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 offence as alleged by the prosecution. He would further submit that the petitioner has been falsely implicated in this case. He would further submit that the petitioner is ready and willing to abide any conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 23.08.2024 nearly eleven months. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner is having six previous cases similar in nature. This is the third bail application and the earlier bail applications were dismissed by this Court. He would



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further submit that the investigation has already been completed and the properties were recovered and final report has also been filed before the Additional District and Sessions Court, Padmanabhapuram. The case was taken on file in S.C. No.320 of 2024. 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 investigation has already been completed and the entire properties have been recovered and also considering the fact that the petitioner/ A2 is in judicial custody from 23.08.2024, 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 Additional District and Sessions Court, Padmanabapuram 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 contact number to the Additional District and Sessions Court, Padmanabapuram. If the petitioner



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changes his residential address, he shall report the same to the Additional District and Sessions Court, Padmanabapuram;

[c] the petitioner shall appear and sign before the respondent police daily twice i.e., 10.00 a.m., and 05.00 pm., until further orders except hearing dates. On hearing dates, the petitioner shall appear before the trial Court.

[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/-

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Sub-Assistant Registrar (C.S. I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.



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TO

- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE, PADMANABAPURAM.
- 2 THE OFFICER INCHARGE, DISTRICT PRISON, NAGERCOIL.
- 3 THE SUB-INSPECTOR OF POLICE, THIRUVATAR POLICE STATION,
KANNIYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS
HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.10446 of 2025
Date :15/07/2025

NBF/SAR- /17/07/2025/ 5P/5C

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