WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10630 of 2025

1.Abishek,
S/o.Thiruselvam

2.Rajkumar,
S/o.Thiruselvam ..Petitioners/ Accused Nos.1 & 2

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Alangulam Police Station,
Tenkasi District.
(Cr.No.368/2025) .. Respondent/Complainant

For Petitioner : Mr.S.Kumar
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

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

WEB COPY

PRAYER :- For Bail in Crime No.368 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioners / Accused Nos.1 & 2, who were arrested and remanded to judicial custody on 11.06.2025 respectively for the offences punishable under Sections 191(2), 191(3), 296(b), 115(2), 109(1), 351(3) of BNS in Cr.No.368 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners were riding their motorcycles in a rash and negligent manner through the streets of South Poolangulam. The defacto-complainant, upon witnessing this, cautioned and advised them to ride slowly. Keeping the said incident in their mind, the accused persons unlawfully assembled in the occurrence place and called the defacto-complainant to that place and when he arrived at that place, the accused persons abused him with filthy language and voluntarily causing hurt by stabbing with knife and tried to kill and threatened him with dire consequences. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. The petitioners are ready and willing to abide and conditions that may

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

WEB COPY

be imposed by this Court. He would further submit that the petitioners are in custody from 11.06.2025 nearly 15 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the defacto-complainant had witnessed the rash and negligent driving of the petitioners and he intercepted the petitioners and advised them to go slowly. Keeping the said incident in their mind, the accused persons unlawfully assembled in the occurrence place and called the defacto-complainant to that place and when he arrived at that place, the accused persons abused him with filthy language and voluntarily causing hurt by stabbing with knife and tried to kill and threatened him with dire consequence. For the said incident, the defacto-complainant sustained severe injury and admitted in hospital and later on 15.06.2025, he discharged from hospital. There is no previous case against the petitioners. 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 in this case, the injured person was discharged from hospital, the petitioners/accused Nos.1 & 2 remanded into judicial custody on 11.06.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on executing

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

WEB COPY

separate bond for a sum of Rs.25,000/- (Rupees Tenty Five Thousand only) each with two sureties, each for a like sum to the satisfaction of Judicial Magistrate, Alangulam 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 petitioners shall furnish their residential address and contact number to the Judicial Magistrate, Alangulam. If the petitioners changes their residential address, they shall report the same to the Judicial Magistrate, Alangulam;

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

[e] the petitioners shall not abscond either during investigation or trial.

[f] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[g] 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].

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

WEB COPY

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

sd/-
26/06/2025

/ TRUE COPY /

/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,
ALANGULAM.

2 THE CHIEF JUDICIAL MAGISTRATE,
TENKASI DISTICT.

3 THE SUPERINTENDENT,
CENTRAL JAIL,
PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
ALANGULAM POLICE STATION,
TENKASI DISTRICT.

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

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

WEB COPY

+1. CC to S. KUMAR Advocate SR.No.6829 (I) DT.26/06/2025

ORDER
IN
CRL OP(MD) No.10630 of 2025
Date :26/06/2025

NM/26.06.2025 6P/7C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023

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