



CRL OP(MD).No.10923 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
WEB COPY

(Criminal Jurisdiction)

Date : 30/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10923 of 2025

1. Kombaiah, (M/ A 53/2025)
S/o.Nangaiyappan,

2. Manikandan (M/ A/25/2025)
S/o.Kombaiah

...Petitioners/ Accused Rank not known

Vs

State of Tamil Nadu
Rep by the Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.
(Crime No.127 of 2024)

.. Respondent in both petitions

For Petitioners : Mr.M.Raja Ravi Varma

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.127 of 2024 on the file of the Respondent Police.



CRL OP(MD).No.10923 of 2025

ORDER: This Court made the following order :-

WEB COPY

The petitioners / Accused, who were arrested and remanded to judicial custody on 07.06.2025 for the offences punishable under Sections 379 of IPC and under Sections 3 of TN Public Property (Prevention of Damage & Loss) Act, 1992, in Crime No.127 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 16.05.2024, the petitioners have entered into the defacto complainant house and damaged the EB wire and stolen two CCTV camera. Hence, the complaint.

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. He would further submit that the petitioners names were not found in the FIR. He would further submit that the petitioners are ready and willing to abide and conditions that may be imposed by this Court. He would further submit that the petitioners are in custody from 07.06.2025. Hence, he seek bail.

4. The learned Government Advocate (Criminal Side) would submit that the defacto complainant's husband was involved in murder case of A1's brother and there was a previous enmity between them. Further, the defacto complainant has put up CCTV camera in front of the house and other sides. He would further submit that due to previous enmity, the petitioners have entered into the house of



CRL OP(MD).No.10923 of 2025

WEB COPY

the defacto complainant and damaged the EB wire and stolen two CCTV cameras worth about of Rs.7,000/- He would further submit that there are 10 previous cases pending against A1 and 6 previous cases pending against A2. He would further submit that the stolen property has been recovered. However, he objected to grant bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the investigation is almost completed and the stolen property has been recovered and also considering the period of incarceration suffered by the petitioners, 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 a separate 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 No.1, Srivaikundam, Thoothukudi District, 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] each of the petitioner shall deposit a sum of Rs.3,500/- (Rupees Three Thousand and Five Hundred) to the credit of Crime



CRL OP(MD).No.10923 of 2025

WEB COPY

No.127 of 2024 before the learned Judicial Magistrate No.1, Srivaikundam, Thoothukudi District and on such deposits being made, the learned Judicial Magistrate No.1, Srivaikundam, Thoothukudi District, shall accept the sureties furnished by the petitioners;

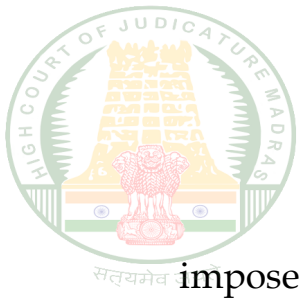
[c] The petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate No.1, Srivaikundam, Thoothukudi District,. If the petitioners changes their residential address, they shall report the same to the learned Judicial Magistrate No.1, Srivaikundam, Thoothukudi District;

[d] 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 petitioners in accordance with law as if the conditions have been



CRL OP(MD).No.10923 of 2025

WEB COPY

imposed and the petitioners 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].

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

sd/-
30/06/2025

/ TRUE COPY /

30/06/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MSRM
TO

1. THE JUDICIAL MAGISTRATE NO.1,
SRIVAIKUNDAM, THOOTHUKUDI DISTRICT.

2.DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3. THE SUPERINTENDENT, CENTRAL PRISON,
PALAYAMKOTTAI, TIRUNELVELI.

4. THE INSPECTOR OF POLICE,
SRIVAIKUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT.

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



CRL OP(MD).No.10923 of 2025

WEB COPY

+1 CC to M/s.M.RAJA RAVI VARMA, Advocate (SR-6896[I] dated 30/06/2025)

ORDER

IN

CRL OP(MD) No.10923 of 2025

Date :30/06/2025

HPS/30.06.2025 /6P/7C

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