



CRL OP(MD).No.11087 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/07/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.11087 of 2025
and
CRL MP(MD).No.8847 of 2025

Naveen @ Naveen Prasath,
S/o.Sundarrajan

.. Petitioner/ A2

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Thenkarai Police Station,
Theni District.
(Crime No.274 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.C.Suresh Kannan,
Advocate.

For Respondent : Mr.S.Prakash,
Government Advocate (Crl.Side)

For Intervenor : Mr.A.Balaji,
Advocate



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PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.274 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 05.06.2025 for the offences punishable under Sections 191(2), 191(3), 126(2), 296(b), 115(2), 118(1), 351(3) and 49 of BNS, 2023 @ 191(2), 191(3), 126(2), 296(b), 115(2), 118 (1), 109 and 49 of BNS, 2023 in Crime No.274 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the 5th accused is the adjacent landowner of the de-facto complainant, and there is a pending property dispute between them. On 05.06.2025, at about 6.00 a.m., when the de-facto complainant went to his land, the petitioner, along with the other accused, restrained him, sprinkled chili powder on his face, and also attacked him with an iron rod. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner is an



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innocent person and has not committed any offence as alleged by the prosecution.

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However, the petitioner is ready and willing to abide by any conditions that may be imposed by this Court. He further submitted that the petitioner has been in custody from 05.06.2025. Hence, he seeks bail.

4. The learned counsel for the intervenor submitted that the petitioner, along with the other accused, brutally assaulted the de-facto complainant, causing him multiple fractures and grievous injuries. As a result, both his legs and his left forearm were fractured, and he is currently undergoing medical treatment. A sum of Rs.7,00,000/- has been incurred towards hospitalization, surgeries, medicines, and post-treatment physiotherapy. To substantiate the same, medical reports and bills have also been enclosed. He further submitted that if the petitioner is released on bail, it would pose a grave threat to the life of the de-facto complainant. Hence, he strongly opposed to grant bail to the petitioner.

5. The learned Government Advocate (Criminal Side) submitted that due to dispute with regard to business, the accused persons brutally assaulted the de-facto complainant with an iron rod. There are totally five accused persons in this case and the petitioner has been arrayed as A2. All other accused are still absconding. He



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further submitted that the injured has been discharged from the hospital. However, he opposed to grant bail to the petitioner.

6. Taking into consideration of the facts and circumstances of the case, and taking note of the fact that the petitioner was remanded to judicial custody on 05.06.2025, and that the injured has been discharged from the hospital, and also considering the period of incarceration already undergone by the petitioner, this court is inclined to grant bail to the petitioner, subject to the following conditions:

7. 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 the learned Judicial Magistrate, Periyakulam 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



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the learned Judicial Magistrate, Periyakulam. If the petitioner changes his residential
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address, he shall report the same to the learned Judicial Magistrate, Periyakulam;

[c] the petitioner shall stay at Salem and sign before the Inspector of Police, Annadhanapatti Police Station, Salem daily twice i.e. at 10.00 a.m. and 05.00 p.m. for a period of 30 days and thereafter, the petitioner shall report 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]; and;



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

8. Accordingly, this Criminal Original Petition is allowed. Consequently, the connected Criminal Miscellaneous Petition is closed.

sd/-
10/07/2025

/ TRUE COPY /

10/07/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

MKN

TO

1.THE JUDICIAL MAGISTRATE,
PERIYAKULAM.

2.THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT.

3.THE OFFICER INCHARGE,
DISTRICT JAIL, THENI DISTRICT.

4.THE INSPECTOR OF POLICE,
THENKARAI POLICE STATION,
THENI DISTRICT.



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

COPY TO

THE INSPECTOR OF POLICE
ANNADHANAPATTI POLICE STATION, SALEM.

ORDER
IN

CRL OP(MD) No.11087 of 2025
Date :10/07/2025

PR/10.07 .2025 7P/7C

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