



CRL OP(MD).No.11690 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

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Thiru Moorthy,
S/o.Maharajan,

: Petitioner/ A2

Vs

The State of Tamilnadu
rep.by the Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.
(Crime No.32 of 2023)

.. Respondent/ Complainant

For Petitioner : Mr.A.Robinson,
Advocate.

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



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PETITION FOR BAIL Under Sec.483 of BNSS

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PRAYER :- For Bail in S.C.No.236 of 2023 on the file of the Assistant Sessions Judge (Sub Court) Tiruchendur in Crime No.32 of 2023 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 21.02.2023 for the offences punishable under Sections 341, 394 and 506(ii) IPC altered into Sections 341, 394, 506(ii), 411, 414 of IPC, in Crime No.32 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is working in broiler chicken shop. Usually he went to his shop at about 06.30 am, and return back to home at 02.30 pm., and daily collection amount will be handed over to the owner of the shop by the defacto complainant. On 20.02.2023, when the defacto complainant took the collection amount of Rs.15,000/- to hand over to the owner, three unknown persons waylaid him and robbed his mobile phone and Rs.15,000/- and silver bracelet with criminal intimidation. Hence, the complaint.

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 along with other accused had preferred bail petition in Crl.OP(MD)No.21933 of 2023 and the same was dismissed on



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13.12.2023. 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 21.02.2023. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner along with other accused waylaid the defacto complainant and threatened him with dire consequences and also robbed a sum of Rs.15,000/-, mobile phone and silver bracelet. He would further submit that the investigation has already been completed and charge sheet has also been filed before the Assistant Sessions Judge (Sub Court) Tiruchendur. He would also submit that the petitioner is having four previous cases, out of which, two cases ended in acquittal. 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/ Accused is in judicial custody from 21.02.2023, 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



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sureties, each for a like sum to the satisfaction of learned Assistant Sessions Judge (Sub Court) Tiruchendur, 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] the petitioner shall furnish his residential address and contact number to the learned Assistant Sessions Judge (Sub Court) Tiruchendur, Thoothukudi District. If the petitioner changes his residential address, he shall report the same to the learned Assistant Sessions Judge (Sub Court) Tiruchendur, Thoothukudi District;

[c] the petitioner shall appear and sign before the respondent police daily at 10.00 a.m., 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



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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

sd/-
15/07/2025

/ TRUE COPY /

16/07/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

gns
TO

1 THE ASSISTANT SESSIONS JUDGE (SUB COURT), TIRUCHENDUR,
THOOTHUKUDI DISTRICT.

2 THE INSPECTOR OF POLICE, ARUMUGANERI POLICE STATION,
THOOTHUKUDI DISTRICT.

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

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

+1 CC to M/s.A.ROBINSON, Advocate (SR-7627[I] dated 15/07/2025)

ORDER
IN
CRL OP(MD) No.11690 of 2025
Date :15/07/2025

NBF/SAR- /16/07/2025/ 5P/6C

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