



CRL OP(MD).No.11623 of 2025

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.11623 of 2025

Pakiyanathan,
S/o.Ramaiah Thevar,

...Petitioner/ Accused

No.2

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Avainyapuram Police Station,
Madurai District.
(Crime No.306 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.N.K.Somasundarapandiyarajan

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.306 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial



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custody on 01.06.2025 for the offences punishable under Sections 326(g) of BNS and
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4 of TNPPDL Act in Crime No.306 of 2025 on the file of the respondent police, seeks
bail.

2. The case of the prosecution is that the defacto-complainant parked his four wheeler bearing registration No. TN 64 W 3638 in the vacant space opposite to his shop at Villapuram. On 01.06.2025 at 2.20a.m., the defacto-complainant received a phone call from Muthumanikandan and he stating that somebody set fire to his four wheeler and some two wheelers which were parked at nearby his shop. On investigation, it revealed that the Accused Nos.1 and 2 have committed the said offence. Hence, the case.

3. The learned counsel for the petitioner would submit that there are totally two accused persons were involved in this case, this petitioner was arrayed as second accused. The first accused is still in judicial custody. The petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. Based on the confession statement of the Accused No.1, this petitioner was arrayed as one of the accused in the said case. The petitioner is ready and willing to abide any conditions that may be imposed by this Court. He would



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further submit that the petitioner is in custody from 01.06.2025 nearly 39 days.

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Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that this petitioner and the first accused set fire on the defacto-complainant's car and some other two wheeler which were parked in Villapuram area. In this case, the first accused is still in judicial custody. There is no previous case against this petitioner. 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 there is no previous case against this petitioner, the petitioner/accused No.2 is in judicial custody from 01.06.2025, 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 learned Judicial Magistrate No.VI, Madurai and on further conditions that :-



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[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 make a non refundable deposit of **Rs.75,000/- (Rupees Seventy Five Thousand only)** to the credit of **Crime No.306 of 2025**, without prejudice to his defence before the trial Court; and on such deposit being made, the learned Judicial Magistrate No.VI, Madurai shall accept the sureties furnished by the petitioner; the learned Judicial Magistrate No.VI, Madurai shall deposit the said amount as fixed deposit and the entitlement of the said amount will be decided at the time of disposal of the main case.

[c] The petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate No.VI, Madurai. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.VI, Madurai;

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



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

[f] the petitioner 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].

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

sd/-
10/07/2025

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/06/2025
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 JUDICIAL MAGISTRATE NO.VI,
MADURAI

2 THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.

4 THE INSPECTOR OF POLICE,
AVANIYAPURAM POLICE STATION,
MADURAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.11623 of 2025

Date :10/07/2025

NM/10.07.2025/ 6P/6C

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