



CRL OP(MD).No.12260 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.12260 of 2025

Thangakumar,
S/o.Sivaperumal,

..Petitioner/ Accused
No.3

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Tharuvaikulam Police Station,
Thoothukudi District.
(Crime No.87 of 2025)

.. Respondent/Complainant

For Petitioner : M/s.S.Selva Kumar
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.87 of 2025 on the file of the Respondent Police.



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ORDER : This Court made the following order :-

The petitioner / Accused No.3, who was arrested and remanded to judicial custody on 16.06.2025 for the offences punishable under Sections 126(2), 296(b), 115 (2), 118(1), 109(1), 351(3), 3(5) of BNS Act in Crime No.87 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity regarding transportation of coal, due to which, this petitioner and other accused persons, wrongfully restrained the defacto-complainant and abused him with filthy language and attacked with aruval and caused injuries to him and thereby attempted to murder the defacto-complainant and he also made criminal intimidation against the defacto-complainant. Hence, the case.

3. The learned counsel for the petitioner would submit that there are totally four accused persons, this petitioner was arrayed as accused No.3. The respondent police has lodged a false complaint against this petitioner. Already the co-accused A1, A2 and A4 were enlarged on bail in CrI.M.P.No.1997/2025 dated 13.06.2025,

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



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Crl.M.P.No.2034/2025 dated 18.06.2025 and Crl.M.P.No.2198/2025 dated 17.06.2025

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on the file of the learned Principal Sessions Judge, Thoothukudi. The petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. 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 16.06.2025 nearly 35 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that due to previous enmity regarding transportation of coal, this petitioner and other accused persons, wrongfully restrained the defacto-complainant and abused him with filthy language and attacked with aruval and caused injuries to him and thereby attempted to murder the defacto-complainant and he also made criminal intimidation against the defacto-complainant. In this case, other co-accused were already enlarged on bail by the learned Principal Sessions Judge, Thoothukudi. In this case, investigation is almost completed and the respondent police is going to file charge sheet. The weapons were recovered by the respondent police. Injured persons were discharged from hospital. This petitioner is having twenty seven previous cases. This petitioner is a History Sheeter (H.S.No.10 of 2022). Hence, he objected to grant bail to the petitioner.



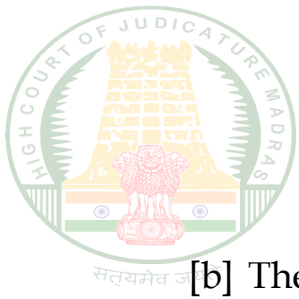
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5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that in this case, investigation has been completed, the prosecution is going to file charge sheet, injured persons were already discharged from hospital, the other co-accused were already enlarged on bail by the learned Principal Sessions Judge, Thoothukudi, the petitioner/accused No.3 remanded into judicial custody on 16.06.2025, 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 Court, Ottapidaram, Thoothukudi 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.



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[b] The petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate Court, Ottapidaram, Thoothukudi. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate Court, Ottapidaram, Thoothukudi;

[c] the petitioner shall appear and sign before the respondent police daily twice at 10.30 a.m., and 05.30p.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].



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

sd/-
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/07/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gvn

TO

- 1 THE JUDICIAL MAGISTRATE,
OTTAPIDARAM,
THOOTHUKUDI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE OFFICER INCHARGE, DISTRICT PRISON,
PERURANI, THOOTHUKUDI DISTRICT.
- 4 THE INSPECTOR OF POLICE,
THARUVAIKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.



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

+1 CC to M/s.S.SELVAKUMAR, Advocate (SR-7819[I] dated 21/07/2025)

ORDER
IN
CRL OP(MD) No.12260 of 2025
Date :21/07/2025

AS/21.07.2025/7P/7C

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