



CRL OP(MD).No.12971 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 13/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.12971 of 2025
and
CRL MP(MD).No.10476 of 2025

Balaji,
S/o.Kumaran,

..Petitioner/ Accused No.5

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District.
(Crime No.140 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.G.Naveen Kumar
Advocate.

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

For Intervener : Mr.D.Balamurugapandi,
Advocate

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.140 of 2025 on the file of the Respondent Police.



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ORDER: This Court made the following order :-

The petitioner / Accused No.5, who was arrested and remanded into judicial custody on 02.07.2025 for the offences punishable under Sections 126(2), 296(b), 109 of BNS @ 126(2), 296(b), 191(1), 191(2), 61(2) and 109(1) of BNS in Crime No.140 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto-complainant's husband namely Nirmal has running gym and TASMAR bar. Earlier, due to one another dispute, her husband was arrested and remanded into judicial custody and later, he was enlarged on bail. On 25.06.2025, at about 13.30hrs when the defacto-complainant's husband was proceeded towards his house from his bar by his two wheeler, the accused persons came in auto and they attacked the defacto-complainant by using deadly weapons, he sustained grievous injuries and his hand was amputated. Hence, the case.

3. The learned counsel for the petitioner would submit that there are totally 11 accused persons involved in this case. This petitioner was arrayed as fifth accused.



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This petitioner is not at all present at the scene of occurrence, based on the confession of A1, this petitioner name was arrayed as fifth accused. The respondent police lodged a false case against this petitioner. This 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 02.07.2025, nearly 43 days. Hence, he seeks bail.

4. The learned Counsel appearing for the intervener would submit that the defacto-complainant's husband is the victim who sustained grievous injuries and his left hand was amputated by the gruesome attack of the accused persons. In the result of the gruesome attack of the accused persons, the victim had sustained 23 cut injuries. The victim's left hand was amputate and his right leg was fractured. This petitioner informed the whereabouts the victim to the other accused persons. This petitioner so far spent more than Rs.20,00,000/- for his medical treatment. Now, the petitioner has also facing life threat. If the petitioner/accused No.5 is released on bail he will threaten and tamper the witnesses. Hence, he prays to dismiss the present bail petition.



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5. The learned Government Advocate (Criminal Side) would submit that there are totally 11 accused persons were involved in this case. This petitioner was arrayed as fifth accused. In this case, Accused Nos.1,2,3 and 6 were arrested on 27.06.2025, Accused Nos.5,7 and 9 were surrendered and they are in judicial custody and the Accused Nos.8 and 10 were absconding. All the accused persons brutally attacked the defacto-complainant's husband, he had sustained 17 cut injuries all over his body, his left hand was amputated and his right leg was fractured. At the time of occurrence, this petitioner informed the whereabouts of the victim. There is no previous case against this petitioner. In this case, Accused No.3 was enlarged on bail by the Juvenile Justice Board in Crl.MP.No.209/2025. The Injured persons discharged from hospital on 08.07.2025. The offences committed by the accused persons are grave in nature. If the petitioner released on bail, there is every possibility to threaten the witnesses and tamper the evidences. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

6. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that there is only limited overtact against this petitioner, this petitioner only gave information regarding the victim before and after of occurrence, the injured person discharged from hospital on 08.07.2025, there is no previous case



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against this petitioner, the petitioner/accused No.5 is in judicial custody from 02.07.2025, taking into consideration of the period of incarceration, 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 learned Judicial Magistrate Court No.1, Ramanathapuram 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 Judicial Magistrate Court No.1, Ramanathapuram. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate Court No.1, Ramanathapuram;

[c] the petitioner shall stay at Madurai and he shall appear and sign before the Inspector of Police, Tallakulam Police Station daily twice at 10.00a.m., and 05.00p.m. until further orders.

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



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[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].

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

8. Consequently, connected miscellaneous petition is closed.

sd/-
13/08/2025

/ TRUE COPY /

/08/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN

TO

1. THE JUDICIAL MAGISTRATE NO.I,
RAMANATHAPURAM.



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2-DO THROUGH

THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

2. THE INSPECTOR OF POLICE,
BAZAAR POLICE STATION,
RAMANATHAPURAM DISTRICT.

3. THE INSPECTOR OF POLICE,
TALLAKULAM POLICE STATION,
MADURAI DISTRICT.

4. THE OFFICER INCHARGE,
DISTRICT PRISON,
RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S. G.NAVEEN KUMAR Advocate SR.No.8757 (I) DT.13/08/2025

+1. CC to M/S. D.BALAMURUGAPANDI Advocate SR.No.8762 (I)
DT.13/08/2025

ORDER
IN

CRL OP(MD) No.12971 of 2025

Date :13/08/2025

NM/13.08.2025/ 7P/8C

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