



CRL OP(MD).No.14020 of 2025

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

Date : 25/08/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

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**Kumaresan @ Kombaiya,
S/o.Subbiah,**

**..Petitioner/ Accused
No.6**

Vs

**The State of Tamilnadu
rep.by The Inspector of Police,
Pettavaothalai Police Station,
Trichy.
(Crime No.88 of 2024)**

.. Respondent/ Complainant

**For Petitioner : Mr.A.Joseph Jerry
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.88 of 2024 on the file of the Respondent Police.

ORDER : This Court made the following order :-



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The petitioner / Accused No.6, who was arrested and remanded to judicial custody on 03.08.2024 for the offences punishable under Sections 305(a) of BNS altered into Sections 109(1), 296(b), 305(a) and 351(3) of BNS @ 310(2), 311, 61(2) (b) of BNS in Crime No.88 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto-complainant is a whole sale vegetable vendor at Mettupalayam. On 02.08.2024 at about 05.00p.m., the defacto-complainant sent vegetables to Kumbakonam market in a lorry through the driver Anand and Cashier Logeswaran and they uploaded the vegetables and collected a sum of Rs.50,67,200/- from the shopkeepers and on 03.08.2024 at about 04.40p.m, when they were taking tea, one accused took the cash box from the lorry and escaped from the place in a car along with three other accused persons. Hence, the case.

3. The learned counsel for the petitioner would submit that there are totally seven accused persons, the rank of the petitioner is A6. This petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. This petitioner is ready and willing to abide any conditions that may be imposed by this Court. The co-accused already enlarged on bail by the learned Principal District and Sessions Judge, Tiruchirappalli. He would further submit that the petitioner is in custody from 03.08.2024, nearly 1 year 20 days. Hence, he seeks bail.



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4. The learned Government Advocate (Criminal Side) would submit that this petitioner and other accused persons robbed the amount of Rs.50,67,200/- from the defacto-complainant. The amount of Rs.29,68,500/- were recovered by the respondent police and Rs.3,50,000/- was recovered from this petitioner. In this case, Accused Nos.1 and 3 were enlarged on bail by the learned Principal District and Sessions Judge, Tiruchirappalli in Crl.MP.No.5662 of 2024 dated 24.10.2024, Accused No.2 was enlarged on bail by the learned Principal District and Sessions Judge, Tiruchirappalli in Crl.MP.No.5400 of 2024 dated 16.10.2024 and Accused Nos.4 and 5 were enlarged on bail by the learned Principal District and Sessions Judge, Tiruchirappalli in Crl.MP.No.5536 of 2024 dated 22.10.2024. In this case, investigation completed, charge sheet has been filed and the same was taken on file in S.C.No.215 of 2025 on the file of learned Principal District and Sessions Judge, Trichy. This petitioner is having three previous cases, all are similar in nature. Hence, 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 in this case, the entire property were recovered by the respondent police, Accused Nos.1 and 3 were enlarged on bail by the learned Principal District and Sessions Judge, Tiruchirappalli in Crl.MP.No.5662 of 2024 dated 24.10.2024, Accused No.2 was enlarged on bail by the learned Principal



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District and Sessions Judge, Tiruchirappalli in Crl.MP.No.5400 of 2024 dated 16.10.2024 and Accused Nos.4 and 5 were enlarged on bail by the learned Principal District and Sessions Judge, Tiruchirappalli in Crl.MP.No.5536 of 2024 dated 22.10.2024, in this case, investigation completed, charge sheet has been filed and the same was taken on file in S.C.No.215 of 2025 on the file of learned Principal District and Sessions Judge, Trichy, the petitioner/ Accused No.6 is in judicial custody from 03.08.2024, 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 District Munsif cum Judicial Magistrate, Srirangam, Tiruchirappalli 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 Munsif cum Judicial Magistrate, Srirangam, Tiruchirappalli. If the petitioner changes his residential address, he shall report the same to the learned Munsif cum Judicial Magistrate, Srirangam, Tiruchirappalli;



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[c] the petitioner shall stay at Trichy and he shall appear and sign before the respondent police daily twice at 10.00.a.m., and 05.00p.m. Except on hearing dates, until further orders and he shall also appear before the concerned Trial court on hearing dates.

[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].

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

sd/-
25/08/2025

/ TRUE COPY /

25/08/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO मेव जयते

1. The Principal District and Sessions Judge,
Tiruchirappallai.
2. The District Munsif cum Judicial Magistrate,
Srirangam, Tiruchirappalli.
3. Do Through The Chief Judicial Magistrate,
Tiruchirappalli District.
4. The Superintendent,
Central Prison,
Palayamkottai.
5. The Inspector of Police,
Pettavaothalai Police Station,
Trichy.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.A.JOSEPH JERRY, Advocate (SR-9163[I] dated 25/08/2025)

ORDER
IN

CRL OP(MD) No.14020 of 2025

Date :25/08/2025

HPS/25.08.2025 6P/8C

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