



CRL OP(MD). No.22214 of 2024

WEB COPY

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

Date : 06/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.22214 of 2024

Ajith

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep By,
The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District,
(Cr.No.348 of 2024.)

... Respondent/Complainant

For Petitioner : Mr.R.Balamuruganantham, Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No.348 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on



CRL OP(MD). No.22214 of 2024

22.11.2024 for the offences under Section 309(4) of BNS (hereinafter referred to as
WEB COPY
new penal code) in Crime No.348 of 2024 on the file of the respondent police, seeks
bail.

2. The case of the prosecution is that on 22.09.2024 at about 04.00 p.m, the defacto complainant was waylaid by the accused persons, and by showing deadly weapons, a sum of Rs.1,60,000/- was taken away from him and also a mobile phone was robbed. There are totally four accused persons in this case and the petitioner has been arrayed as A2.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that all the four accused persons were arrested in this case and the TI Parade was also conducted on three days namely, 26.12.2024, 30.12.2024 and 02.01.2025. He further submitted that the petitioner has been identified in the TI Parade. The learned Additional Public Prosecutor brought to the notice of this Court that there are four previous cases against the petitioner. Hence, he vehemently opposed the grant of bail to the petitioner.

4. The learned Counsel appearing for the petitioner submitted that the petitioner has been falsely roped in this case and the petitioner has suffered incarceration from 22.11.2024. He requested this Court to enlarge the petitioner on bail by imposing any condition.



CRL OP(MD). No.22214 of 2024

WEB COPY

5. Taking into consideration the facts and circumstances of the case and considering the fact that there are four previous cases pending against the petitioner and also of the fact that this petitioner has already suffered incarceration from 22.11.2024 and TI Parade has already been completed, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. Accordingly, the criminal original petition is ordered and the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Sivagangai, and on further conditions that:-

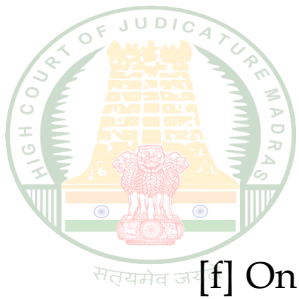
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m until further orders.

[c] the petitioner shall appear before the trial Court during every hearing date without fail.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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



CRL OP(MD). No.22214 of 2024

WEB COPY

[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 2023.

sd/-
06/01/2025

/ TRUE COPY /

06/01/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

To

1.The Judicial Magistrate No.II,
Sivagangai.

2.Do through the Chief Judicial Magistrate,
Sivagangai District.

3.The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.



CRL OP(MD). No.22214 of 2024

4.The Officer Incharge,
District Prison, Ramanathapuram,
Ramanathapuram District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.BALAMURUGANANTHAM, Advocate (SR-89[I] dated
06/01/2025)

ORDER
IN
CRL OP(MD) No.22214 of 2024
Date :06/01/2025

ED/ /SAR- (06/01/2025) 5P / 7 C

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