

CRL OP(MD)No.16798 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 03.10.2025

PRESENT

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

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Kaniselvam @ Kani

... Petitioner

Vs

The State Represented by,
The Inspector of Police,
Kulithalai Police Station,
Karur District.
(Crime No.489 of 2025)

... Respondent

For Petitioner : Mr.M.Pozhilan

For Respondent : Mr.A.Thiruvadikumar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER:- For Bail in Crime No.489 of 2025 on the file of the
respondent police.



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ORDER: The Court made the following order :-

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The petitioner, who was arrested and remanded to judicial custody on 26.08.2025 for the offences punishable under Sections 310(2), 311, 332(b) and 61(2) of BNS, 2023, in Crime No.489 of 2025 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 18.08.2025, at about 3.30 a.m., while the defacto complainant was sleeping in a bedroom on the first floor and her parents were sleeping on the ground floor, at that time, the petitioner and other accused persons trespassed into the defacto complainant's house and threatened her and assaulted her and also robbed a sum of Rs.7 lakhs from her room and 7 ³/₄ sovereigns of gold jewels. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 26.08.2024. Hence, he seeks bail to the petitioner.



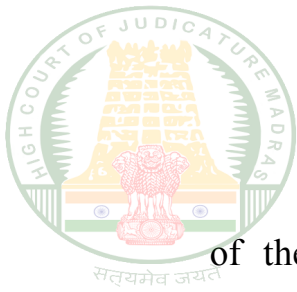
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4.The learned Additional Public Prosecutor submitted that totally there are 13 accused in this case. He further submitted that the petitioner and other accused persons trespassed into the defacto complainant's house and threatened her and assaulted her and also robbed a sum of Rs.7 lakhs from her room and 7 ³/₄ sovereigns of gold jewels. He further submitted that A1 to A3 are absconding and A4 to A13 were arrested. He further submitted that the investigation is still pending. Hence, he opposed for grant of bail to the petitioner.

5.Taking into consideration of the facts and circumstances of the case and considering the overt act attributed against the petitioner and also considering the period of incarceration suffered by the petitioner, 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



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of the learned Judicial Magistrate No.II, Kulithalai, 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 mobile number to the learned Judicial Magistrate No.II, Kulithalai.

[c] If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.II, Kulithalai.

[d] the petitioner shall appear before the respondent police **daily at 10.30 a.m.. until further orders**. He has to co-operate for the investigation.

[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.



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[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.

(M J R J)
03.10.2025

vsg/rmk

To

1. The Judicial Magistrate No.II, Kulithalai.
2. The Superintendent,
Central Prison, Trichy District.
3. The Inspector of Police,
Kulithalai Police Station,
Karur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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M.JOTHIRAMAN,J.

vsg/rmk

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