



CRL OP(MD). No.17753 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

(Criminal Jurisdiction)

Date : 15.10.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.17753 of 2025

Siva

... Petitioner/ Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Devadanapatti Police Station,
Theni District.
(Crime No.378 of 2025)

... Respondent/Complainant

For Petitioner : Mr.M.Jagadeesh Pandian

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.378 of 2025 on the file of the respondent police.



CRL OP(MD). No.17753 of 2025

WEB COPY

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 09.09.2025 for the offences punishable under Section 103 and 296(b) of BNS, in Crime No.378 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that when the defacto complainant's husband went to purchase food item at Hotel Devi Vilas, Devathanapatti, the hotel master/the petitioner herein had created loud noise in the parota stone and the same was questioned by her husband, at that time, a wordy quarrel arose between them, her husband took a wooden log and assaulted the petitioner and the petitioner also took his parota vessel and attacked her husband and caused injury on his stomach. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 09.09.2025. Hence, he seeks bail to the petitioner.



CRL OP(MD). No.17753 of 2025

4. The learned Additional Public Prosecutor submitted that the petitioner has no previous cases. He further submitted that the petitioner is having one previous case. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and though the petitioner is having one previous case, 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.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Periyakulam, Theni District, and on further conditions that :-

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card



WEB COPY



CRL OP(MD). No.17753 of 2025

or bank pass book to ensure their identity;

[b] the petitioner shall report before the respondent police daily twice ie., at 10.30 a.m., and 5.30 p.m., until further orders;

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

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

[e] 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 is 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



CRL OP(MD). No.17753 of 2025

[(2005)AIR SCW 5560];

WEB COPY

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

15.10.2025

PJL

To

1. The Judicial Magistrate,
Periyakulam, Theni District.
2. The Superintendent,
District Prison, Theni.
3. The Inspector of Police,
Devadanapatti Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD). No.17753 of 2025

S.SRIMATHY,J.

PJL

ORDER
IN
CRL OP(MD) No.17753 of 2025

Date : 15.10.2025