



CRL OP(MD). No.19716 of 2025

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

Date : 10/11/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.19716 of 2025

1.Mariyappan
2.Vairamuthu

... Petitioners/A3&A8

Vs

The State of Tamilnadu Rep.By,
The Inspector of Police,
Peraiyur Police Station,
Peraiyur, Madurai District.
Cr.No.140 of 2025.

... Respondent/Complainant

For Petitioners : Mt.T.Vadivelan

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

PETITION FOR BAIL Under Sec.483 of BNSS.

PRAYER :- C-33B For Bail in Crime No.140 of 2025 on
the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded
to judicial custody on 07.10.2025 for the offences
punishable under Sections 310(2) and 311 of BNS,
(corresponding Sections 395 and 397 of IPC), in Crime
No.140 of 2025 on the file of the respondent police,
seek bail.



CRL OP(MD). No.19716 of 2025

2. The case of the prosecution is that the petitioners waylaid the defacto complainant and looted his mobile phone and assaulted him and threatened with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are ready and willing to abide by any conditions which may be imposed by this Court and they are in judicial custody from 07.10.2025. Hence, he seeks bail to the petitioners.

4. The learned Additional Public Prosecutor submitted that there are no previous cases pending against the petitioners and the investigation has been completed. The specific overtact against the petitioners is they were present at the scene of occurrence. However, he opposed for grant of bail to the petitioners.



CRL OP(MD). No.19716 of 2025

5. Taking into consideration of the facts and circumstances of the case and there is no previous case pending against petitioners and also considering the period of incarceration suffered by the petitioners, this Court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on executing a separate 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 Judicial Magistrate, Peraiyur, 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 petitioners shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required;

[c] the petitioners shall not abscond either during investigation or trial;



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CRL OP(MD). No.19716 of 2025

S . SRIMATHY , J .

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[d] the petitioners shall not tamper with evidence or witness 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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];

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

10.11.2025

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TO

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

CRL OP (MD) No.19716 of 2025