



CRL OP(MD). No.22921 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.12.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.22921 of 2025

Sivakumar

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Kallidaikuruchi Police Station,
Tirunelveli District.
(Crime No.461 of 2025)

... Respondent/Complainant

For Petitioner : Mr.A.S.Krishnan

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.461 of 2025 on the file of the respondent police.



CRL OP(MD). No.22921 of 2025

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 28.11.2025 for the offences punishable under Sections 296(b), 109(1), 351(3) of BNS Act and Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1982, in Crime No.461 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, due to previous motive, the petitioner attacked the defacto complainant with an aruval, and the complainant narrowly escaped. It is further alleged that the petitioner damaged the complainant's vehicle, causing a loss of Rs. 1,500/-. 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 28.11.2025. Hence, he seeks bail to the petitioner.



CRL OP(MD). No.22921 of 2025

4. The learned Additional Public Prosecutor submitted that it is a case and counter case and that no injury was sustained. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the fact that it is a case and counter case and also considering the fact that no injury was sustained, 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) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Ambasamudram, 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 or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for investigation.



CRL OP(MD). No.22921 of 2025

[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 [(2005)AIR SCW 5560].

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

(S S Y J)
12.12.2025

jbr



CRL OP(MD). No.22921 of 2025

To

WEB COPY

1. The Judicial Magistrate, Ambasamudram.
2. The Superintendent, Sub Jail,
Ambasamudram, Tirunelveli District.
3. The Inspector of Police,
Kallidaikuruchi Police Station,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD). No.22921 of 2025

S.SRIMATHY,J.

jbr

ORDER
IN
CRL OP(MD) No.22921 of 2025

Date : 12.12.2025