



CRL OP (MD) No.8075 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.8075 of 2025

Pandiyaraj
@ Pandiyarajan

... Petitioner/sole Accused

Vs.

The State of Tamil Nadu
Rep. by The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
Crime No.180 of 2025

... Respondent/Complainant

For Petitioner : Mr.Pnssm.Ammaar,
Advocate

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS, 2023

PRAYER :-



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For Bail in Crime No.180 of 2025 on the file of the respondent-police.

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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 28.04.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant bail.

2. The petitioner/Sole Accused was arrested and remanded to judicial custody on 04.04.2025 for the offences punishable under Sections 126(2), 296(b), 109(1), 308(4) and 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.180 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 04.04.2025, at about 08:00 a.m., when the defacto complainant and his friend were walking on the road, the petitioner restrained the defacto complainant, abused him in filthy language, extorted a sum of Rs.500/- from him, attempted to attack him with an aruval, and also threatened him with dire consequences. Hence, the case.

4. Mr.PNSSM.Ammaar, learned counsel for the petitioner, submits that the petitioner is an innocent person, that he has not committed any offence as alleged by the prosecution, and that he has been falsely implicated in this case. He, however, submits that the petitioner is ready to abide by any conditions that may be imposed



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by this Court. He further submits that the petitioner has been in judicial custody since 04.04.2025. He therefore prays for grant of bail to the petitioner.

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5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioner has seven previous cases and is a history-sheeter in H.S.No.614 of 2024. He further submits that if bail is granted to the petitioner, he may cause threat to the defacto complainant and the witnesses and thereby, cause law and order problem. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides and perused the records.

7. The petitioner was arrested and remanded to judicial custody on 04.04.2025. In view of the offences allegedly committed by the petitioner, and taking note of the fact that no one sustained any injury in the incident, this Court is of the opinion that further custody of the petitioner is not necessary for the Investigating Agency in this case. Further, the petitioner has permanent residence, and hence, there is less possibility of absconding. Considering the same, and also considering the period of incarceration, and with a view to give one more opportunity to the petitioner to reform himself, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:



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(i) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate, Karaikudi, Sivagangai District;

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate, Karaikudi, Sivagangai District, shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Karaikudi, Sivagangai District;

(iv) The petitioner shall stay at Thanjavur after execution of suretyship and shall appear and sign before the Inspector of Police, Taluk Police Station, Thanjavur District, daily at 10.00 a.m., and 05.00 p.m., until further orders;

(v) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

(vi) The petitioner shall not commit an offence similar to the offence of he is accused, or suspected, of the commission of which he is suspected;

(vii) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(viii) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial



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Magistrate, Karaikudi, Sivagangai District, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
30/04/2025

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/05/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

1. THE JUDICIAL MAGISTRATE,
KARAIKUDI, SIVAGANGAI DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE INSPECTOR OF POLICE,
TALUK POLICE STATION,
THANJAVUR DISTRICT.
4. THE OFFICER-IN-CHARGE,
SUB JAIL, THENI.



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5. THE INSPECTOR OF POLICE,
KARAIKUDI NORTH POLICE STATION,
SIVAGANGAI DISTRICT.

6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.8075 of 2025
Date :30/04/2025

HPS/02.05.2025 /6P/7C

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