
(2025) 12 MAD CK 0029

Madras HC

Case No: Criminal Miscellaneous Petition (MD) No. 22415 Of 2025

Mahendhiran @ Mandha

APPELLANT

Vs

State Of Tamilnadu

RESPONDENT

Date of Decision: Dec. 8, 2025

Acts Referred:

- Indian Penal Code, 1860-Section 392
- Bharatiya Nyaya Sanhita, 2023-Section 269

Hon'ble Judges: S.Srimathy, J

Bench: Single Bench

Advocate: B.Mahendrarajan, E.Antony Sahaya Prabahar

Judgement

S.Srimathy, J

1. The petitioner, who was arrested and remanded to judicial custody on 24.10.2025 for the offences punishable under Section 392 of IPC, in Crime No.137 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was involved in committing the offence of robbery. The case was registered in Crime No.137 of 2015 by the respondent police. It was taken on file as C.C.No.09 of 2018 and is pending before the learned Judicial Magistrate, Paramakudi. Due to the petitioner's non-appearance before the concerned Court, a non-bailable warrant was issued against him and the same was executed on 24.10.2025.

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 24.10.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that a non-bailable warrant was issued and executed on 24.10.2025, and that 22 previous cases are pending against the petitioner. Therefore, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case 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.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Paramakudi, Ramanathapuram 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 or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.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 [(2005)AIR SCW 5560].

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