

Crl.O.P.(MD)No.15760 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.07.2026

PRESENT

THE HONOURABLE MR. JUSTICE K. RAJASEKAR

CRL OP(MD). No. 15760 of 2026

Vivekanandharaja

...Petitioner

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Kamudhi Police Station,
Ramanathapuram District.
(Crime No.124 of 2017)

...Respondent/Complainant

For Petitioner : Mr.R.Venkatesan
Advocate

For Respondent : Mr.N.Balasubramanian
Counsel for State of TN (Crl. Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 124 of 2017 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 04.07.2026, for the offences punishable under Sections 147, 148, 294(b), 324, 336, 307 of IPC and Section 4 of TNPHW Act, in Crime No.124



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of 2017 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 14.12.2017 the petitioner joining hands with other accused unlawfully assembled, intercepted the defacto complainant, assaulted him with deadly weapons, abused him in filthy language and subsequently, threatened him with dire consequences. Hence, the petitioner was earlier arrested and released on bail. Investigation in this case has been completed and charge sheet was also filed and the same was taken cognizance in P.R.C.No.5 of 2018 on the file of the District Munsif cum Judicial Magistrate, Kamudhi. Thereafter due to non appearance of the petitioner, the case was split up in P.R.C.No.25 of 2023 and Non Bailable warrant was issued against him on 31.03.2022 and the same was executed on 04.07.2026 and now he is in custody.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. The petitioner has appeared before the trial Court regularly. The absence of the petitioner is neither wilful nor wanton. Due to job opportunity only, the petitioner is unable to appear before the committal Court. Hence, the non bailable warrant was



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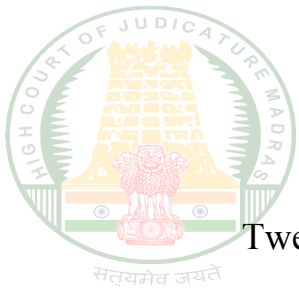
issued against him. Now the petitioner is in custody from 04.07.2026 and ready to co-operate with the trial process. He is also ready to surrender his passport before the trial Court. Hence, he prayed bail for the petitioners.

4. The learned Counsel appearing for the State reiterated the prosecution case and reported that the petitioner was absconded for the past two years. Due to which the committal proceedings could not be completed. In respect of other accused the case is pending before the Mahila Court, Ramanathapuram in S.C.No.201 of 2023 and the case is posted for examination of witnesses. Hence, he opposed to grant of bail to the petitioner.

5. This Court heard both sides and perused the materials available on record.

6. Considering the fact that the trial is in progress in respect of other accused, the committal proceedings is pending only in respect of this petitioner, now he is ready to surrender his passport, and also considering the period of incarceration, I am inclined to grant bail to the petitioner subject to certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.20,000/- (Rupees



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Twenty Thousand only) with two sureties each for a like sum to the satisfaction of the learned **District Munsif cum Judicial Magistrate, Kamudhi**, and on further conditions that:

[b] the petitioner shall report before the learned District Munsif cum Judicial Magistrate, Kamudhi at 10.30 a.m., on every Tuesday, till the committal process is over;

[c] the petitioner shall surrender his passport before the committal court and shall retained by the Court/Trial Court until further orders:

[d] the petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/she is suspected;

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

[f] 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 her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[g] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action



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against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 51730].

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

(K R S J)
29.07.2026

TM

To

- 1.The District Munsif cum Judicial Magistrate, Kamudhi.
- 2.The Inspector of Police,
Kamudhi Police Station,
Ramanathapuram District. (Crime No.124 of 2017)
- 3.The Superintendent, District Prison, Ramanathapuram.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K. RAJASEKAR, J.

TM

ORDER
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