



CRL OP(MD). No.1011 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.1011 of 2025

Alagarsamy

... Petitioner/ Accused (A5)

Vs

The Inspector of Police,
Palamedu Police Station,
Madurai.
Cr.No.149/2023.

... Respondent/Complainant

For Petitioner : Mr.S.Vidhya Sagar, Advocate.
For Respondent : Mr.S.Ravi, Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner on Bail in connection with S.C.No.94/2024 on the file of the Hon`ble Additional District Sessions Court No.5, Madurai.

ORDER : The Court made the following order :-

The petitioner / Accused No.5, who was arrested and remanded to judicial custody on 09.12.2024 and was facing trial in S.C.No.94/2024 on the file of the learned Additional District Sessions Judge No.5, Madurai for offences under Sections 147, 148, 341, 120(B), 201, 34 and 302 of IPC on the file of the respondent Police, seeks



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2. The petitioner was facing trial before the learned V Additional District Judge, Madurai in S.C.No.94 of 2024. The petitioner was not present before the Court on the date of hearing on 09.12.2024. From then, the petitioner is in judicial custody.

3. When the matter was taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondent Police submitted that there are totally seven accused persons in this case and the petitioner has been arrayed as Accused NO.5. The learned Additional Public Prosecutor further submitted that all the accused persons are before this Court and that the petitioner was absconding for nearly six months and therefore, there was a delay in framing of charges in this case. He further submitted that there are three previous cases against the petitioner and considering the attitude of the petitioner, the learned Additional Public Prosecutor vehemently opposed the grant of bail to the petitioner. He further submitted that the case came up for hearing before the trial Court on 28.01.2025 and since Accused No.6 was not present and petition was filed, the case has now been adjourned to 04.03.2025 for framing of charges.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police.

5. Taking into consideration the facts and circumstances of the case and



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considering the fact that the petitioner has suffered incarceration from 09.12.2024 and taking note of the fact that there are three previous cases against the petitioner and the case is at the stage of framing of charges, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. Accordingly, the criminal original petition is ordered and 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 Additional District Sessions Court No.5, Madurai 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 petitioner shall report before the learned V Additional District Judge, Madurai daily at 10.30 a.m. apart from the hearing dates until further orders.

[c] the petitioner shall not tamper with 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 released on bail by the



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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 of BNS, 2023.

sd/-
30/01/2025

/ TRUE COPY /

30/01/2025

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1 THE JUDGE, ADDITIONAL DISTRICT SESSIONS COURT NO.5,
MADURAI.

2 THE V ADDITIONAL DISTRICT JUDGE,
MADURAI.

3 THE OFFICER INCHARGE,
DISTRICT PRISON,
DINDIGUL.

4 THE INSPECTOR OF POLICE,
PALAMEDU POLICE STATION,
MADURAI.

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



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+1 CC to M/s.S.VIDHYASAGAR, Advocate (SR-1079[I] dated 30/01/2025)

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ORDER

IN

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Date :30/01/2025

RS/IT/SAR-(30.01.2025) 5P 7C

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