



CRL OP(MD). No.2408 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.02.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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S.Venkatesh @ Pandi Venkatesh

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Dindigul Town South Police Station,
Dindigul District.
Crime No.112 of 2020

... Respondent/Complainant

For Petitioner : Mr.K.Althaf Sheriff

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For bail in Crime No.112 of 2020 on the file of the Respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 05.02.2025 under

<https://www.mhc.tn.gov.in/judis>



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Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

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2. The petitioner/sole accused was arrested and remanded to judicial custody on 12.08.2024 for the alleged offences punishable under Section 302 of the Indian Penal Code, 1860 in Crime No.112 of 2020 on the file of the respondent-police.

3. The case of the prosecution is that on 08.03.2020, at 10:30 p.m., the petitioner poured kerosene on his wife and set her on fire. Although his wife was taken to the hospital on 08.03.2020, she died on 30.03.2020. Hence the case.

4. Mr.K.Althaf Sheriff, the learned counsel appearing for the petitioner, submits that the petitioner is an innocent persons and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been in judicial custody since 12.08.2024. He therefore prays to grant bail to the petitioner.

5. Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent-police, submits that the offence committed by the petitioner is grievous in nature. Already, three Non-Bailable Warrants were issued against the petitioner and executed. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. The petitioner was arrested on 09.03.2020 and released on bail on 06.01.2021.

Thereafter, the case has been committed to the Sessions Court. When the case was



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posted for trial on 24.05.2023, the petitioner did not appear. Hence, non-bailable warrant was issued on the same day. Since the petitioner did not appear before the Court, second non-bailable warrant was issued on 29.08.2023 and the same was executed on 30.09.2023. Thereafter, once again, non-bailable warrant was issued on 30.07.2024 and the same was executed on 12.08.2024. The petitioner was arrested on 12.08.2024 and is still in judicial custody. It is stated that the petitioner is an agricultural labour. Hence, he could not appear before the Court. Further, it appears that the petitioner has no previous case. Considering the avocation of the petitioner and with a view to give one more opportunity to the petitioner to contest the case, 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:

(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 Sessions Judge, Fast Track Mahila Court, Dindigul. Among two sureties one shall be a blood surety.

(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 Sessions Judge, Fast Track Mahila Court, Dindigul shall



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obtain a copy of any one of identity proofs to ensure their identity;

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(iii) The petitioner shall furnish his residential address and mobile number:

(iv) The petitioner shall appear and sign before the learned Sessions Judge, Fast Track Mahila Court, Dindigul, on all working days at 10.30 a.m., until further orders.

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

(vi) On breach of any of the aforementioned conditions, the learned Sessions Judge, Fast Track Mahila Court, Dindigul 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. In case, if the petitioner is unable to appear before the learned Sessions Judge, Fast Track Mahila Court, Dindigul, he may file an appropriate application to the learned Sessions Judge under Section 355 of Bharatiya Nagarik Suraksha Sanhita, 2023 [Section 317 of the Code of Criminal Procedure]. If any such application is filed, the learned Sessions Judge shall decide the application on merits. Since the Sessions Case is pending since the year 2022, both the prosecution as well as the petitioner shall co-operate with the Trial Court for speedy disposal of the case.



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

sd/-
07/02/2025

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/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MBI
TO

1 THE SESSIONS JUDGE,
FAST TRACK MAHILA COURT, DINDIGUL.

2 THE OFFICER INCHARGE,
DISTRICT JAIL, DINDIGUL.

3 THE INSPECTOR OF POLICE,
DINDIGUL TOWN SOUTH POLICE STATION,
DINDIGUL DISTRICT.

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

+1 CC to M/s.K.ALTHAF SHERIFF, Advocate (SR-1470[I] dated 07/02/2025)

ORDER IN
CRL OP(MD) No.2408 of 2025
Date :07/02/2025

SA/SAR. /07.02.2025/5P/6C

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