



CRL OP(MD). No.1865 of 2025

WEB COPY

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.1865 of 2025

Ganesan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Thadicombu Police Station,
Dindigul District.
Crime No. 330/2019

... Respondent/Complainant

For Petitioner : Mr.P.P.Alwin Balan, 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 S.C No. 109/2021 on the file of the Sessions Judge, Fast Track Mahila court, Dindigul

ORDER : The Court made the following order :-

The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 29.08.2024 and was facing trial in S.C No. 109/2021 on the file of the Sessions Judge, Fast Track Mahila court, Dindigul for offences under Section 302 of IPC on the file of the respondent Police, seeks bail.



CRL OP(MD). No.1865 of 2025

WEB COPY

2. The petitioner was facing trial before the learned Sessions Judge, Fast Track Mahila court, Dindigul in S.C.No.109 of 2021. When the case was at the stage of examination of witnesses on 23.08.2022, the petitioner did not appear before the Court and hence, non bailable warrant was issued against the petitioner. The same was able to be executed and the petitioner was able to be produced before the Court only on 29.08.2024 after nearly two years. From then, the petitioner is in judicial custody.

3. The learned Additional Public Prosecutor appearing for the petitioner submitted that the petitioner is the sole accused who is facing trial before the Court below and he absconded for more than two years and as a result, there was no progress in the trial. He further submitted that five witnesses have been examined in this case and they have also been cross examined and that the case is posted for examination of other witnesses on 07.02.2025. He further submitted that there are no previous cases against the petitioner, but, however, considering the conduct of the petitioner, the learned Additional Public Prosecutor vehemently opposed the grant of bail to the petitioner.

4. The learned counsel appearing for the petitioner submitted that the petitioner undertakes to appear before the trial court during every date of hearing and he will not cause any delay in the completion of the case.



CRL OP(MD). No.1865 of 2025

WEB COPY

5. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner has suffered incarceration from 29.08.2024 and five witnesses have been examined and they have also been cross examined and taking note of the fact that there are no previous cases against the petitioner, 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 learned Sessions Judge, Fast Track Mahila Court, Dindigul 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 learned Sessions Judge, Fast Track Mahila Court, Dindigul 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.



CRL OP(MD). No.1865 of 2025

[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 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 SESSIONS JUDGE, FAST TRACK MAHILA COURT, DINDIGUL.

2 THE OFFICER INCHARGE, SUB JAIL, DINDIGUL.

3 THE INSPECTOR OF POLICE, THADICOMBU POLICE STATION,
DINDIGUL DISTRICT.

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

+1 CC to M/s.P.P.ALWIN BALAN, Advocate (SR-1146[I] dated 30/01/2025)



WEB COPY



CRL OP(MD). No.1865 of 2025

ORDER

IN

CRL OP(MD) No.1865 of 2025

Date :30/01/2025

RS/IT/SAR-(30.01.2025) 5P 6C

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