



CRL OP (MD) No.3658 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.3658 of 2025

Mani @ Arivumani

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Chatrakudi Police Station,
Crime No.184/2020.

... Respondent/Complainant

For Petitioner : Mr.B.Rama Moorthi, Advocate
For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

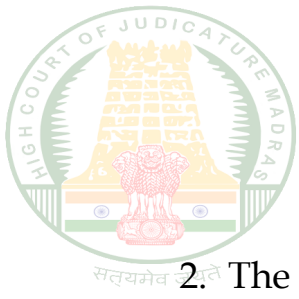
PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner on bail in C.C.No.22/2022 on the file of the Judicial Magistrate, Paramakudi, Ramanathapuram District.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 24.02.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.



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2. The petitioner/Accused No.1 was arrested on the basis of Non-Bailable Warrant issued against him and remanded to judicial custody on 02.11.2024. The petitioner is facing trial in C.C.No.22 of 2022 on the file of the Judicial Magistrate, Paramakudi for the offence punishable under Section 394 of IPC in connection with Crime No.184 of 2020 on the file of the respondent-police.

3. Since the petitioner has not appeared before the learned Judicial Magistrate, Paramakudi on 16.07.2024, a Non-Bailable Warrant was issued against the petitioner. Based on the same, the petitioner was arrested and remanded to judicial custody on 02.11.2024.

4. Mr.B.Ramamoorthi, the learned counsel appearing for the petitioner, submits that the petitioner was regularly appearing before the Trial Court in the previous hearings. He further submits that due to ill-health, he did not appear before the Trial Court on 16.07.2024. Therefore, he prays to grant bail to the petitioner.

5. Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that due to the non-appearance of the petitioner, a Non Bailable Warrant was issued. He further submits that if the petitioner is released on bail, he may abscond and delay the trial proceedings. Hence, he prays to dismiss this Criminal Original Petition.

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



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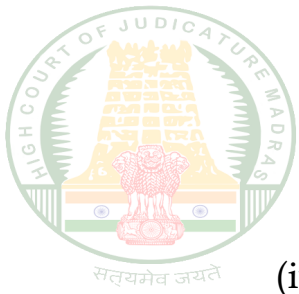
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7. On perusal of the records, it is seen that PW.1 was cross-examined on 25.08.2022. Thereafter, the prosecution did not produce the witnesses. It appears that except on 16.07.2024, the petitioner has been regularly appearing before the trial Court. Considering the facts and circumstances and also considering the reasons stated in the petition that since he was unwell, he could not appear before the trial Court on 16.07.2024, 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 Judicial Magistrate, Paramakudi, Ramanathapuram District.

(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 Judicial Magistrate, Paramakudi, Ramanathapuram District, shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023.



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(iv) The petitioner shall not commit an offence similar to the offence of he is accused, or suspected, of the commission of which he is suspected.

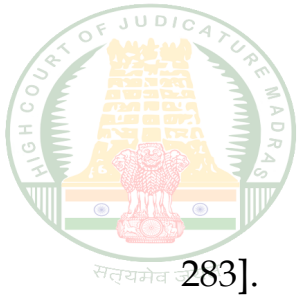
(v) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(vi) The petitioner shall also not directly or indirectly cause threat to the defacto complainant and his family members.

(vii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Paramakudi, Ramanathapuram District.

(viii) The petitioner appear before the learned Judicial Magistrate, Paramakudi, Ramanathapuram District daily at 10.30 am, until further orders, and on all hearing days when the Court requires his appearance.

(ix) On breach of any of the aforementioned conditions, learned Judicial Magistrate, Paramakudi, Ramanathapuram District, 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



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

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26/02/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1 THE JUDICIAL MAGISTRATE,
PARAMAKUDI,
RAMANATHAPURAM DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT JAIL,
RAMANATHAPURAM.

4 THE INSPECTOR OF POLICE,
CHATRAKUDI POLICE STATION,
RAMANATHAPURAM.

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



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ORDER

IN

CRL OP(MD) No.3658 of 2025

Date :26/02/2025

RS/IT/SAR-(26.02.2025) 6P 6C

Madurai Bench of Madras High Court is issuing
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