



CRL OP(MD). No.3441 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1. Paulraj

2. Baskar

... Petitioners/ A1 & A5

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Sankarankoil Town Police Station,
Tenkasi District.
(Crime No.78 of 2019).

... Respondent/Complainant

For Petitioners : Mr.M.Raja Ravi Varma,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.78 of 2019 on the file of the Respondent-Police.

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis> This Criminal Original Petition has been filed by the petitioners on 20.02.2025



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under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 praying to grant
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an order of bail.

2. The petitioners /Accused Nos.1 and 5 were arrested on the basis of Non Bailable Warrant issued against them and remanded to judicial custody on 03.02.2025. The petitioners are facing trial in S.C.No.261 of 2024 on the file of the learned Principal Sessions Judge, Tenkasi for the offences punishable under Sections 147, 366 and 506(ii) of IPC in connection with Crime No.78 of 2019 on the file of the respondent-police.

3. The case of the prosecution is that the petitioners along with the other accused persons kidnapped the defacto complainant and forced her into marriage with the first petitioner. Hence, the case was registered.

4. Mr.M.Raja Ravi Varma, learned counsel appearing for the petitioners, submits that due to ill-health, the petitioners were unable to appear before the trial Court on 20.12.2024. Hence, the trial Court issued Non Bailable Warrant against the petitioners on 20.12.2024 and the same was executed on 03.02.2025. On the very same day, the petitioners were remanded to judicial custody. Hence, he prays to grant bail to the petitioners.

5. Mr.K.Sanjai Gandhi, learned counsel appearing for the respondent-Police, submits that the case is at the stage of trial. He further submits that due to the non-



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appearance of the accused persons, the trial proceedings have been delayed. He further submits that if the petitioners are enlarged on bail, they may abscond, which will also cause delays in the trial proceedings. Hence, he vehemently opposes the grant of bail to the petitioners.

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

7. It is stated that the petitioners were unwell on 20.12.2024 and, therefore, could not appear before the trial court on that date. However, they had been regularly appearing before the trial court prior to 20.12.2024. The petitioners were arrested and have been in judicial custody since 03.02.2025. On perusing the records, it reveals the fact that the petitioners have permanent residence and hence, there is less possibility of absconding. Considering the same and with a view to give one more opportunity to reform themselves, this Court is inclined to grant bail to the petitioners, however, subject to certain conditions. Accordingly, bail is granted to the petitioners subject to the following conditions:

(i) The petitioners shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) each along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned Principal Sessions Judge, Tenkasi;

(ii) The sureties shall affix their photographs and left thumb impression in the



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Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Principal Sessions Judge, Tenkasi, shall obtain a copy of any one of identity proofs to ensure their identity;

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

(iv) The petitioners shall not commit an offence similar to the offence of which they are accused, or suspected, of the commission of which they are suspected;

(v) The petitioners 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 them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(vi) The petitioners shall furnish their residential address and mobile number to the learned Principal Sessions Judge, Tenkasi;

(vii) The petitioners shall appear and sign before the learned Principal Sessions Judge, Tenkasi, on all working days at 10:30 a.m., until further orders, and on all hearing dates when the Court requires their appearance; and

(viii) On breach of any of the aforementioned conditions, the learned Principal Sessions Judge, Tenkasi is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid



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down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC
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283].

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

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

TSG
TO
1 THE PRINCIPAL SESSIONS JUDGE,
TENKASI.

2 THE SUPERINTENDENT,
CENTRAL JAIL, PALAYAMKOTTAI.

3 THE INSPECTOR OF POLICE,
SANKARANKOIL TOWN POLICE STATION,
TENKASI DISTRICT

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

ORDER IN
CRL OP(MD) No.3441 of 2025
Date :24/02/2025

SA/SAR. /24.02.2025/5P/5C

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