



CRL OP(MD). No.4127 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 19/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Raja

... Petitioner/ A1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Muthaiahpuram Police Station,
Muthaiahpuram,
Thoothukudi,
Thoothukudi District.
Crime No. 125/2019.

... Respondent/ Complainant

For Petitioner : Mr. N.Pragalathan
Advocate

For Respondent : Mr.R.Meenkashi Sundaram,
Additional Public Prosecutor

PETITION FOR Bail Under Sec.483 of BNSS, 2023

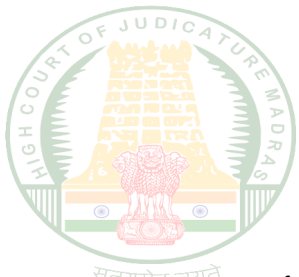
PRAYER :-

To enlarge the petitioner herein on bail in the case in S.C No. 261/2020 on the file of the 1st Additional District and Sessions court, Thoothukudi in Crime No. 125 of 2019 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 03.03.2025 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail.

2. The petitioner / A1 was arrested and remanded to judicial custody on



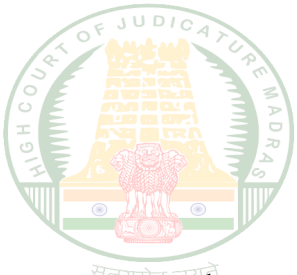
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22.01.2025, for the alleged offences punishable under Sections 341, 342, 294(b), 302 and 506(ii) of IPC, 1860 in S.C.No.261 of 2020, on the file of the I Additional District and Sessions Judge, Thoothukudi in Crime No.125 of 2019, on the file of the respondent-police.

3. The case of the prosecution is that on 07.04.2019, at about 8.30 pm, in front of the Raj Tailor Shop near Rajiv Nagar main road, when the deceased was sitting and talking with one Antony Cruz, the petitioner and other accused came there and scolded the deceased in filthy language and also assaulted him by wooden stick and murdered him and also criminally intimidated the witnesses. Hence, the complaint.

4. Mr. N.Pragalathan, learned counsel appearing for the petitioner, submits that due to ill-health on 27.03.2024, the petitioner was unable to attend the hearing, hence, Non Bailable Warrant was issued against the petitioner and he was arrested and remanded to judicial custody on 22.01.2025. He further submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the petitioner has been in judicial custody since 22.01.2025. Accordingly, he prays to grant bail to this petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-Police, submits that there are totally two



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accused persons involved in this case and the petitioner herein is arrayed as A1. He further submits that the petitioner herein has 2 previous cases. He further submits that if the petitioner is released on bail, he may abscond and cause threat to the defacto complainant and witnesses. Hence, he prays for dismissal of this petition.

6. Heard both sides and perused the records.

7. It is learnt that co-accused / A2, did not appear before the trial Court and hence, Non Bailable Warrant was issued and the same was executed on 14.06.2024 and he is also inside the prison. The petitioner herein also arrested and remanded to judicial custody, based on the Non Bailable Warrant issued against him. In view of the same and the antecedents of the petitioner, this Court is of the considered view that if the bail is granted to the petitioner, he may abscond and cause threat to the witnesses, thereby delaying the investigation. Hence, this Court is not inclined to grant bail to the petitioner, at this stage.

8. Accordingly, this Criminal Original Petition is dismissed.

sd/-
19.03.2025

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/04/2025
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

1. The Inspector of Police,
Muthaiahpuram Police Station,
Muthaiahpuram,
Thoothukudi,
Thoothukudi District.
2. The Officer in Charge,
District Jail,
Perurani,
Thoothukudi District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.4127 of 2025

Date : 19/03/2025

SL(03.04.2025)/ 4P/ 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.