



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

WEB COPY

Date : 27.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5153 of 2025

Dineshkumar

... Petitioner/ A2

Vs

The State of Tamilnadu,
Rep.By the Inspector of Police,
Muthaiahpuram Police Station,
Thoothukudi District.
Crime No.125 of 2019

... Respondent/Complainant

For Petitioner	:	Mr.J.Mohamed Ibrahim
For Respondent	:	Mr.R.Meenakshi Sundaram, Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS, 2023

PRAYER :-

For bail in S.C.No.261 of 2020 on the file of the I Additional Sessions Court, Thoothukudi in connection with 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 18.03.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.



2. The petitioner / A2 was arrested and remanded to judicial custody on 14.06.2024 for the alleged offences punishable under Sections 341, 342, 294(b), 302 and 506(ii) of Indian Penal Code, 1860 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 08.30 p.m, the petitioner / A2 along with another accused person, restrained and confined the deceased, abused the deceased in filthy language and murdered the deceased by attacking with sticks and stones. The accused persons have also criminally intimidated the defacto complainant. Hence the case.

4. When the case in S.C.No.261 of 2020 on the file of the learned I Additional Sessions Judge, Thoothukudi was posted on 20.04.2021, the petitioner failed to appear before the Court, hence NBW was issued on that day and the same was executed on 14.06.2024.

5. Mr.J.Mohamed Ibrahim, the learned counsel appearing for the petitioner submits that the petitioner is ready to appear before the trial Court for all hearings. He further submits that the petitioner has been in judicial custody since 14.06.2024. He however submits that the petitioner is ready to abide by any condition to be imposed by this Court. He therefore prays to grant bail to the petitioner.

6. Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-police, submits that the petitioner has three previous cases. He further submits that the co-accused failed to appear before the Trial Court, hence,



NBW was issued and executed and that now the co-accused is also in jail. He therefore submits that if bail is granted to the petitioner, the petitioner may abscond and thereby delay the trial proceedings. Accordingly, he prays to dismiss this Criminal Original Petition.

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

8. The apprehension raised by the learned Additional Public Prosecutor is quite reasonable and acceptable. If bail is granted to the petitioner at this stage, he may abscond and delay the trial proceedings. Hence, this Court is not inclined to grant bail to the petitioner / A2 at this stage of trial. Accordingly, the Criminal Original Petition is dismissed.

Sd/-

27.03.2025

// True Copy //

/04/2025

Sub Assistant Registrar
(CS - I/II/III/IV)

Madurai Bench of Madras High Court,
Madurai.

mbi

TO

1 THE INSPECTOR OF POLICE, MUTHAIAHPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.

2 THE OFFICER INCHARGE, PERURANI DISTRICT PRISON, THOOTHUKUDI.

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



WEB COPY



ORDER
IN

CRL OP(MD) No.5153 of 2025
Date :27/03/2025

RS (17/04/2025) 4P/ 4C

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