

CRL OP(MD) No.5133 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD) No.5133 of 2025

Prasanth

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thiruppachethi Police Station,
Sivagangai.

Crime No.188 of 2021.

... Respondent/Complainant

For Petitioner

: Mr.M.Maari Muthu

For Respondent

: Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

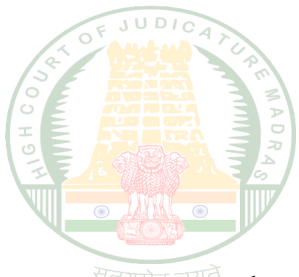
PETITION FOR BAIL Under Sec.483 of BNSS, 2023

PRAYER :-

For bail in Crime No.188 of 2021 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.



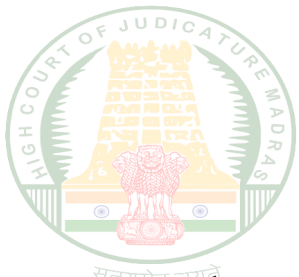
CRL OP(MD) No.5133 of 2025

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2. The petitioner/Accused No.2 was arrested on the basis of Non Bailable Warrant issued against him and remanded to judicial custody on 20.09.2024. The charge sheet has been filed against the petitioner, and the same was taken on file by the learned Additional District Judge, Sivagangai in S.C.No.71 of 2022 for the alleged offences punishable under Sections 294(b), 147, 148 and 302 of Indian Penal Code, 1860, in connection with Crime No.188 of 2021, on the file of the respondent-police. When the case was posted for framing charges on 05.07.2023, the petitioner has not appeared before the Trial Court, hence Non-Bailable Warrant was issued against him, and the same was executed on 20.09.2024.

3. The case of the prosecution is that defacto complainant's son, deceased Balamurugan, was working at Hitech Washer Company. On 16.08.2021, due to past enmity linked to a previous altercation, the petitioner and other accused inflicted severe injuries leading to defacto complainant's son death on the spot. Hence the case.

4. Mr.M.Maari Muthu, the learned counsel appearing for the petitioner, submits that the petitioner is an innocent person, and he has not committed any offence as alleged by the prosecution. He further submits that due to non-communication, the petitioner was unable to appear before the Trial Court on 05.07.2023. As a result, a Non-Bailable Warrant was issued, and the petitioner was



CRL OP(MD) No.5133 of 2025

WEB COPY

arrested on 20.09.2024. He further submits that the petitioner has been in judicial custody since 20.09.2024, and that the petitioner is ready to abide by any conditions that may be imposed by this Court. He therefore prays to grant bail to the petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent-police submits that totally, there are six accused in this case and the co-accused persons/A3 and A4 are absconding, with Non-Bailable Warrants pending against them. He further submits that the petitioner has four previous cases. He further submits that the sessions case is posted for framing of charges and hence, at this stage, if this Court grants bail to the petitioner, it may delay the trial proceedings. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. It is stated that there are six persons involved in this case and the co-accused persons/A3 and A4 are still absconding with Non-Bailable Warrants pending against them. The Sessions Case is posted for framing of charges. At this stage, granting bail to the petitioner may delay the trial proceedings. Moreover, the petitioner has four previous cases. In view of the antecedents also, this Court is not inclined to enlarge the petitioner on bail.



CRL OP(MD) No.5133 of 2025

8. Hence, this Criminal Original Petition stands dismissed.

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20.03.2025

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

apd

To

- 1.The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai.
- 2.The Superintendent,
Central Prison,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.5133 of 2025
Date : 20.03.2025

SL(04.04.2025)/ 4P/ 4C

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