



CRL OP (MD)No.5830 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

CRL OP (MD)No.5830 of 2025

Veerasangalimurugan,
S/o.Arumugam,
Uthappuram,
Peraiyur,
Madurai District.

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Sivagiri Police Station,
Tenkasi District.
Crime No.85 of 2020

... Respondent/ Complainant

For Petitioner : Mr.P.Samuel Gunasingh,
Advocate

For Respondent : Mr.S.Meenakshi Sundaram,
Additional Public Prosecutor



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PETITION FOR BAIL Under Sec.483 of BNSS

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PRAYER :-

For Bail in Crime No.85 of 2020 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 26.03.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner/Accused was arrested on the basis of Non-Bailable Warrant issued against him on 27.02.2025 and remanded to judicial custody on 01.03.2025 for the offences punishable under Sections 447, 452, 302, 324 and 506(2) of IPC and Section 4 of TNPHW Act in Crime No.85 of 2020 on the file of the respondent-police.

3. Since the petitioner did not appear before the trial Court on 27.02.2025, Non-Bailable Warrant was issued against him on the same day. Thereafter, Non-Bailable Warrant was executed on 01.03.2025 by arresting the petitioner and remanding him to judicial custody.

4. Mr.P.Samuel Gunasingh, learned counsel appearing for the petitioner, submits that since the petitioner was unaware of the hearing date and the same was not informed to him, the petitioner did not appear before the trial Court on 27.02.2025. Hence, a Non-Bailable Warrant was issued against the petitioner on



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27.02.2025, and thereafter, the same was executed on 01.03.2025. He further submits that the petitioner has been in judicial custody since 01.03.2025. He further submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. Therefore, he prays for granting bail to the petitioner.

5. In response to the above submission, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-police, submits that when the case was posted for trial on 27.02.2025, the petitioner wantonly did not appear before the trial Court, and therefore, if bail is granted to the petitioner, he may abscond and thereby cause further delay in the trial proceedings. Hence, he strongly opposes to grant bail to the petitioner.

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

7. It is stated that since the petitioner was unaware of the hearing date and the same was not informed to him, the petitioner did not appear before the trial Court on 27.02.2025. To be noted, the petitioner has been regularly appearing before the trial Court prior to 27.02.2025. On perusing the records, it reveals the fact that the petitioner has permanent residence and deep roots in the society, and hence, there is less possibility of absconding. Considering the same, and also considering the period of incarceration, and with a view to give an opportunity to the petitioner to appear before the Trial Court and co-operate with the trial, this Court is inclined to



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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, Sivagiri;

(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, Sivagiri shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Sivagiri;

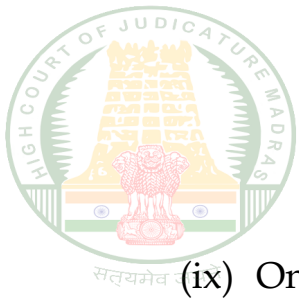
(iv) The petitioner shall appear and sign before the Trial Court (i.e. Principal District Court, Tenkasi) weekly twice (i.e., on Monday and Friday) at 10.30 a.m., until further orders and on all hearing dates when the Court requires his appearance;

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

(vi) 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;

(vii) 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;

(viii) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and



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(ix) On breach of any of the aforementioned conditions, learned Judicial Magistrate, Sivagiri, 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 283].

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

sd/-
28/03/2025

/ TRUE COPY /

/03/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

To

1. The Judicial Magistrate,
Sivagiri.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TENKASI DISTRICT.
3. The Principal District Judge,
Tenkasi.
4. The Superintendent, Central Prison,
Palayamkottai Jail.
5. The Inspector of Police,
Sivagiri Police Station, Tenkasi District.



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6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.5830 of 2025
Date :28/03/2025

MK/SAR /28.03.2025 6P/7C

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