



CRL OP (MD) No.6477 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.6477 of 2025

Manikandan

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu
Rep. by the Inspector of Police,
Central Police Station,
Thoothukudi,
Thoothukudi District.
Crime No.168 of 2015

... Respondent/Complainant

For Petitioner : Mr.KA.Raamakrishnan,
Advocate

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.225 of 2020 on the file of the learned I Additional District and Sessions Judge, Thoothukudi in connection with Crime No.168 of 2015 on the file of the respondent-police.

<https://www.mhc.tn.gov.in/judis>



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WEB COPY ORDER: The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 04.04.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of bail.

2. The petitioner / Accused No.1 was arrested and remanded to judicial custody on 03.12.2024 on the basis of non bailable warrant issued against him. The petitioner is facing trial in S.C.No.225 of 2020 on the file of the learned I Additional District and Sessions Judge, Thoothukudi, for the offences punishable under Sections 147, 294(b), 302 and 506(ii) of IPC and Section 120(b) r/w 34 of IPC, in connection with Crime No.168 of 2015 on the file of the respondent-police.

3. The case of the prosecution is that, on on 25.03.2015, at about 10.45 p.m., due to previous enmity between the petitioner and the defacto complainant, the petitioner along with other accused persons abused the defacto complainant's father with filthy language and assaulted him and caused grievous injuries to him with knife and also made criminally intimidated him. Hence, the case.



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4. Mr.KA.Raamakrishnan, the learned counsel for the petitioner, submits that the petitioner is an innocent person and that he has not committed any offence as alleged by the prosecution and that he has been falsely implicated in this case. He further submits that due to personal inconvenience, the petitioner was unable to appear before the trial Court on 24.07.2024. Hence, nonailable warrant was issued against him on that day and the same was executed on 03.12.2024. He further submits that the petitioner has been in judicial custody since 03.12.2024. He, however, submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. He further submits that if bail is granted to the petitioner, he will not abscond and co-operate with the trial proceedings. 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 the petitioner is arrayed as an Accused No.1 in this case. He further submits that now the trial has been commenced and P.W.1 chief examination is over and at this stage, if bail is granted to the petitioner, he may abscond and thereby cause delay in the trial proceedings. He further submits that there are seven accused in this case and Accused No.4 passed away. He further submits that there are two previous cases pending against the petitioner. Accordingly, he prays to dismiss this Criminal



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Original Petition.

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

7. Considering the facts and circumstances of the case and considering the fact that the petitioner was arrested on 03.12.2024 and has been in judicial custody since then and in view of the offence allegedly committed by the petitioner and the fact that the trial has been commenced in this case, at this stage, if bail is granted to the petitioner, he may abscond and thereby, cause delay in the trial proceedings. Further, the reason assigned by the petitioner for not appearing before the trial Court on 24.07.2024 is not satisfied. Hence, this Court is not inclined to grant bail to the petitioner.

8. In the result, this petition stands dismissed.

sd/-
08/04/2025

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/05/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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To
WEB COPY

- 1.The Inspector of Police,
Central Police Station,
Thoothukudi, Thoothukudi District.
- 2 THE OFFICER INCHARGE,
DISTRICT WOMEN PRISON,
PUDUKOTTAI.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.6477 of 2025
Date :08/04/2025

VN/05.05 .2025 5P/4C

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