



CRL OP (MD) No.7681 of 2025

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

Date : 25/04/2025

PRESENT

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

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Karnan

... Petitioner/ A4

Vs.

The State of Tamil Nadu  
Rep. by the Inspector of Police,  
Pattukkottai Taluk Police Station,  
Pattukkottai,  
Thanjavur District.  
Crime No.173 of 2014

... Respondent/Complainant

For Petitioner : Mr.A.Arul Jenifer, Advocate  
for M/s.KBS Law Office

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- To enlarge the petitioner on bail in in the case in S.C.No.118 of 2019 on the file of the learned III Additional District and Sessions Judge, Thanjavur in connection with Crime No.173 of 2014 on the file of the Respondent-Police.

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



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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 23.04.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of bail.

2. The petitioner / Accused No.4 was arrested and remanded to judicial custody on 22.02.2025 on the basis of Non-Bailable Warrant issued against him. The petitioner is facing trial in S.C.No.118 of 2019 on the file of the learned III Additional District and Sessions Judge, Thanjavur at Pattukottai, for the offences punishable under Sections 147, 148, 302 r/w 109 of Indian Penal Code, 1860, in connection with Crime No.173 of 2014 on the file of the respondent-police.

3. Since the petitioner did not appear before the learned III Additional District and Sessions Judge, Thanjavur at Pattukottai, on 18.10.2023, Non-Bailable Warrant was issued against him and the same was executed on 22.02.2025 by arresting the petitioner.

4. Mr.A.Arul Jenifer, learned counsel appearing for the petitioner, submits that after registration of the case, a misunderstanding arose between the petitioner and his wife. He further submits that the petitioner is undergoing medical treatment.

Therefore, on 18.10.2023, he failed to appear before the Trial Court, and



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consequently, Non-Bailable Warrant was issued. He further submits that the petitioner has been in judicial custody since 22.02.2025 and is ready to abide by any conditions that may be imposed by this Court. He also submits that, if granted bail, the petitioner will not abscond and will co-operate with the trial proceedings. He therefore prays to grant bail to the petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-Police, submits that Non Bailable Warrant was issued against the petitioner on 18.10.2023 and the same was executed on 22.02.2025 ie., after a period of two years. He further submit that the petitioner did not file any medical records to show his ailments. He further submits that the occurrence had taken place in the year 2014, if bail is granted to the petitioner, he may abscond and thereby cause delay in the trial proceedings. He further submits that there is no previous case pending against the petitioner. However, he prays to dismiss this Criminal Original Petition.

6. Heard both sides and perused the records.

7. The petitioner was arrested on 22.02.2025 on the basis of Non-Bailable Warrant issued against him on 18.10.2023, as he had failed to appear before the Trial Court for the hearing. The contention of the petitioner is that he could not appear on that day, i.e., 18.10.2023, due to illness, as he was suffering from certain ailments. In



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view of the above reason, this Court is of the opinion that one more opportunity may be granted to the petitioner to appear before the Trial Court and co-operate with the trial proceedings. Further, the petitioner has a permanent residence, and therefore, there is less possibility of absconding. From the records, it is seen that the petitioner is a first offender. Considering the above cumulative circumstances, the period of incarceration, and in the interest of justice, and with a view to ensuring a fair trial, this Court is inclined to 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 III Additional District and Session Judge, Thanjavur at Pattukkottai;

(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 III Additional District and Session Judge, Thanjavur at Pattukkottai, shall obtain a copy of any one of identity proofs to ensure their identity;



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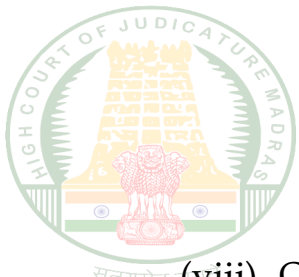
(iii) The petitioner shall furnish his residential address and mobile number to the learned III Additional District and Session Judge, Thanjavur at Pattukkottai;

(iv) The petitioner shall appear and sign before the learned III Additional District and Session Judge, Thanjavur at Pattukkottai, daily 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; and



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(viii) On breach of any of the aforementioned conditions, the learned III Additional District and Session Judge, Thanjavur at Pattukkottai, 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/-  
25/04/2025

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25/04/2025  
Sub-Assistant Registrar ( Judicial )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

vsg

To

1.The III Additional District and Session Judge,  
Thanjavur at Pattukkottai,

2.The officer-in-Charge,  
District Prison, Pudukkottai.

3.The Inspector of Police,  
Pattukkottai Taluk Police Station,  
Pattukkottai, Thanjavur District.

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

+1 CC to M/s.M/S.KBS LAW FIRM, Advocate ( SR-4825[I] dated 25/04/2025 )

ORDER

IN

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Date :25/04/2025

MK/SAR /25.04.2025 7P/6C

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