



CRL OP(MD). No.8440 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/05/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.8440 of 2025

Palani @ Sahulhameed

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep By,
The Inspector of Police,
Ambathurai Police Station,
Cr.No.64/2020,
Dindigul District.

... Respondent/ Complainant

For Petitioner : Mr.M.Karthick,
Advocate.

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner on bail in S.C.No.154 of 2024 on the file of the learned Sessions Judge, Fast Track Mahila Court, Dindigul and thus render justice.



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ORDER: The Court made the following order :-

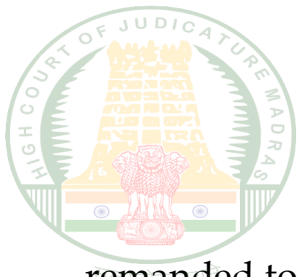
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This Criminal Original Petition has been filed by the petitioner on 05.05.2025 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner / Accused No.1 was arrested on the basis of Non Bailable Warrant issued against him and remanded to judicial custody on 29.11.2024. The petitioner is facing trial in S.C.No.154 of 2024 on the file of the learned Sessions Judge, Fast Track Mahila Court, Dindigul, for the offences punishable under Section 394 @ 397 of IPC in connection with Crime No.64 of 2020 on the file of the respondent-Police.

3. The case of the prosecution is that on 22.02.2020, at about 9:45 p.m., while the defacto complainant and his wife were returning to their house on a two-wheeler, the petitioner, along with another accused, waylaid them and snatched the wife's 10-Sovereign gold chain. As a result, she fell off the bike and sustained injuries. Hence, the case.

4. Mr.M.Karthick, learned counsel appearing for the petitioner, submits that since the petitioner unable to appear before the learned Sessions Judge, Fast Track Mahila Court, Dindigul on 14.11.2024, a non-bailable warrant was issued against the petitioner. Thereafter, the petitioner was formally arrested on 23.11.2024 and



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remanded to judicial custody on 29.11.2024. He further submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He further submits that the petitioner has been regularly appearing before the Trial Court till 14.11.2024. Therefore, he prays for granting bail to the petitioner.

5. Per contra, Mr.S.S.Manoj, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that since the petitioner did not appear before the learned Sessions Judge, Fast Track Mahila Court, Dindigul, a Non-Bailable Warrant was issued against him on 14.11.2024. Thereafter, the petitioner was formally arrested on 23.11.2024 and remanded to judicial custody on 29.11.2024. He further submits that if the petitioner is enlarged on bail, he may abscond and thereby cause delay to 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 due to personal inconvenience, the petitioner was absent on 14.11.2024. To be noted, the petitioner has been regularly appearing before the trial Court prior to 14.11.2024. On perusing the records, it reveals the fact that the petitioner has permanent residence and hence, there is less possibility of absconding. Considering the same, and also considering the period of incarceration to the petitioner to reform himself and regularly and with a view to give one more



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opportunity to the petitioner to reform himself and regularly appear before the Trial Court, 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 Judicial Magistrate No.III, Dindigul;

(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 No.III, Dindigul shall obtain a copy of any one of identity proofs to ensure their identity;

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

(iv) 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;

(v) 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



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evidence;

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(vi) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.III, Dindigul;

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

(viii) The petitioner shall appear and sign before the learned Sessions Judge, Fast Track Mahila Court, Dindigul on all working days at 10.30 a.m., until further orders and on all hearing dates when the Court requires his appearance; and

(ix) On breach of any of the aforementioned conditions, learned Judicial Magistrate No.III, Dindigul 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].

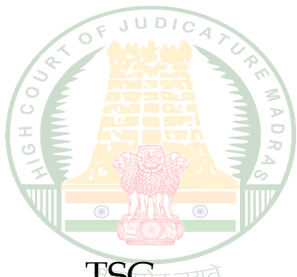
8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

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



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TSG
TO
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1. THE JUDICIAL MAGISTRATE III, DINDIGUL.
2. THE SESSIONS JUDGE, FAST TRACK MAHILA COURT, DINDIGUL.
3. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
4. THE OFFICER-IN-CHARGE, DISTRICT JAIL, DINDIGUL.
5. THE INSPECTOR OF POLICE,
AMBATHURAI POLICE STATION,
DINDIGUL DISTRICT.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

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Date :08/05/2025

HPS/12.05.2025 /6P/7C

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