

CRL OP(MD). No.8524 of 2025

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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.8524 of 2025

S.Vishnu

... Petitioner/ Sole Accused

Vs

The State of Tamilnadu,
Rep.By the Inspector of Police,
Sellur Police Station,
Madurai City.
(Crime No.512 of 2024)

... Respondent/Complainant

For Petitioner : Mr.K.Kirupakaran

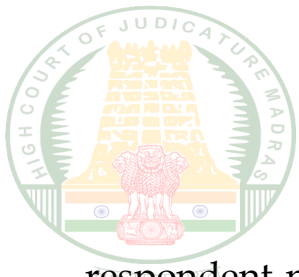
For Respondents : Mr.S.S.Manoj

Government Advocate (Crl. Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner on bail in S.C.No.672 of 2024 on the file of the learned
Principal District Sessions Judge, Madurai in Crime No.512 of 2024 on the file of the



CRL OP(MD). No.8524 of 2025

respondent-police.

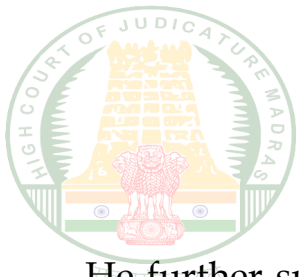
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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 06.05.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner/ sole accused is facing trial in S.C.No.672 of 2024 on the file of the Principal District and Sessions Judge, Madurai. When the case is posted for hearing on 27.11.2024, the petitioner failed to appear before the aforesaid trial Court. Hence, a Nonailable Warrant was issued on 27.11.2024 and the same was executed on 29.03.2025. Hence, this petition seeking bail.

3. Mr.K.Kirupakaran, the learned counsel appearing for the petitioner submits that the petitioner underwent an Open Heart Surgery and taking treatment for the same. Hence, he could not appear before the trial Court on 27.11.2024. Hence, a Nonailable warrant was issued against the petitioner and the same was executed on 29.03.2025. He further submits that if the petitioner has permanent residence and deep roots in Society, he may not abscond and is ready to co-operate with the trial.



CRL OP(MD). No.8524 of 2025

He further submits that the petitioner has been in judicial custody since 29.03.2025 and ready to abide by any condition to be imposed by this Court. He therefore prays to grant bail to the petitioner.

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4. Mr.S.S.Manoj, Government Advocate (Crl. Side) appearing for the respondent-police, submits that the petitioner failed to appear before the trial Court and failed to file petition for condoning his absence. Hence, the Non Bailable Warrant was issued against the petitioner on 27.11.2024 and the same was executed on 29.03.2025. He further submits that if bail is granted to the petitioner, he may abscond again and thereby cause delay in the trial proceedings. Accordingly, he prays to dismiss this Criminal Original Petition.

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

6. The petitioner was arrested on 29.03.2025 and has been in judicial custody since then. The reason assigned by the petitioner is satisfactory. Moreover, the petitioner has permanent residence and deep roots in the Society. Hence, there is less possibility of absconding. Taking into consideration of the cumulative facts, this Court is inclined to grant bail to the petitioner, however, subject to certain



CRL OP(MD). No.8524 of 2025

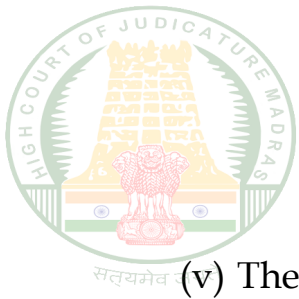
conditions. Accordingly, bail is granted to the petitioner subject to the following
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conditions:

(i) The petitioner shall execute a bond for a sum of 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 Principal District Sessions Judge, Madurai;

(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 Principal District Sessions Judge, Madurai, 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 which he is accused, or suspected, of the commission of which he is suspected;



CRL OP(MD). No.8524 of 2025

WEB COPY

(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 evidence;

(vi) The petitioner shall furnish his residential address and mobile number to the learned Principal District Sessions Judge, Madurai;

(vii) The petitioner shall appear and sign before the learned Principal District Sessions Judge, Madurai, on all working days at 10.30 a.m., until further orders;

(viii) On breach of any of the aforementioned conditions, the learned Principal District Sessions Judge, Madurai 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].



CRL OP(MD). No.8524 of 2025

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

sd/-
08/05/2025

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

trp

TO

- 1.The Principal District Sessions Judge,
Madurai
2. The Superintendent of Central Prison,
Madurai.
- 3.The Inspector of Police,
Sellur Police Station,
Madurai City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No.8524 of 2025

ORDER
IN
CRL OP(MD) No.8524 of 2025
Date :08/05/2025

VN/12.05.2025 7P/5C

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