



CRL OP(MD). No.8833 of 2025

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

Date : 21/05/2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

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Nagappan,
S/o Boominathan,
Vellakarai Main Street,
Thiruppuvanam Taluk,
Sivagangai District.

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Melur Police Station,
Madurai District.
Crime No. 1664/2020.

... Respondent/Complainant

For Petitioner : Mr.J.Vijayaraja,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- To enlarge the petitioner on bail in S.C No. 213/2025 on the file of the learned IVth Additional Sessions Judge, Madurai, in connection with the Crime No.



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1664/2020 on the file of the respondent police

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ORDER : The Court made the following order :-

This petition has been filed to enlarge the petitioner on bail in S.C No. 213 of 2025, on the file of the learned IVth Additional Sessions Judge, Madurai, in connection with the Crime No.1664/2020 on the file of the respondent police.

2. The petitioner is facing trial in S.C No. 213 of 2025, on the file of the learned IVth Additional Sessions Judge, Madurai, for the alleged offence punishable under Sections 147, 148, 342, 294(b) 120(b), 149, 109 and 302 of IPC, in connection with Crime No.1664 of 2020 on the file of the respondent Police. Earlier the petitioner was arrested and released on bail. Thereafter, he did not appear before the trial Court and hence, Nonailable Warrant was issued. The petitioner was surrendered before the Judicial Magistrate, Melur, on 10.03.2025.

3. The learned counsel for the petitioner would submit that the petitioner is regularly appearing before the trial Court on all hearing dates and the petitioner is a statewide lorry driver. Due to his work, the petitioner was unable to appear before the trial Court. Hence, Nonailable Warrant came to be issued. The petitioner voluntarily surrendered before the judicial Magistrate, Melur, on 10.03.2025 and he was remanded to judicial custody. He further submitted that the petitioner is under judicial custody for the past 72 days. Hence, he seeks bail.



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4. The learned Additional Public Prosecutor would submit that the petitioner is having 11 previous cases and he is in habit of committing serious offence. He would further submit that if bail is granted to the petitioner, the petitioner may abscond and thereby cause a delay in the trial proceedings. Hence, he strongly opposes to grant bail to the petitioner.

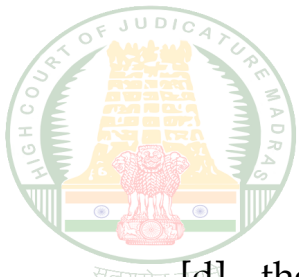
5. Taking into consideration the facts and circumstances of the case and the fact that the petitioner voluntarily surrendered before the Committal Court and also taking into consideration the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties, each for a like sum to the satisfaction of learned IVth Additional Sessions Judge, Madurai and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m., until further orders except on hearing dates.

[c] the petitioner shall not abscond either during investigation or trial.



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[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

sd/-
21/05/2025

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23/05/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CP/LS
TO

1. The IVth Additional Sessions Judge, Madurai.
2. The Superintendent, Central Prison, Madurai.
3. The Inspector of Police, Melur Police Station, Madurai District.



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

+1 CC to M/s.I.VIJAYARAJA, Advocate (SR-5589[I] dated 21/05/2025)

ORDER
IN
CRL OP(MD) No.8833 of 2025
Date :21/05/2025

NBF/23.05.2025 5P/6C

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