



CRL OP(MD). No.8952 of 2025

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

Date : 12/06/2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

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Martin Nithish @ Neimer Nithish

... Petitioner/ Accused No.6

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Dindigul Town North Police Station,
Dindigul District.
S.C.No.40 of 2025 in
Crime No.1028/2024.

... Respondent/Complainant

For Petitioner : Mr.P.Manikandan,
Advocate.

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- To enlarge the petitioner on bail in S.C No.40 of 2025 on the file of the learned Additional District and Sessions Judge, Dindigul, in connection with the Crime No. 1028 of 2024 on the file of the respondent police



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

This petition has been filed to enlarge the petitioner on bail in S.C No. 40 of 2025, on the file of the learned Additional District and Sessions Judge, Dindigul, in connection with the Crime No.1028 of 2024 on the file of the respondent police.

2. The petitioner is facing trial in S.C No. 40 of 2025, on the file of the learned Additional District and Sessions Judge, Dindigul, for the alleged offence punishable under Sections 126(2), 103(1), 109 of BNS Act, 2023 altered to Sections 191(1), 191(3), 126(2), 103(1), 109 of BNS Act, Section 61(2), 49, 191(2), 191(3), 126(2), 103(1), 109 BNS Act read with Sections 3(5), 190 of BNS Act, in connection with Crime No.1028 of 2024 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, Non Bailable Warrant was issued on 10.02.2025 and the same was executed on 16.03.2025.

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 daily wage person. Due to viral fever on 10.02.2025, the petitioner was unable to appear before the trial Court. Hence, Non Bailable Warrant came to be issued and he was remanded to judicial custody on 16.03.2025. He would further submit that the petitioner is also undertakes to appear before the trial court on all hearing dates



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without fail in future and he is under judicial custody for the past 85 days. Hence, he
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seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner is having one previous case. 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 opposed to grant bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and the considering the period of incarceration and also taking note of the undertaking given by the learned counsel for the petitioner, 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 Additional District and Sessions Judge, Dindigul 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 furnish his residential address and contact number to the Additional District and Sessions Court, Dindigul. If the petitioner changes his



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residential address, he shall report the same to the concerned Court.

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[c] the petitioner shall report before the learned Additional District and Sessions Judge, Dindigul on all working days at 10.30 a.m., until further orders.

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

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

[f] 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].

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

sd/-
12/06/2025

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/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO
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- 1.The Additional District and Sessions Judge, Dindigul
2. The Officer in-charge,
District Jail, Dindigul.
3. The Inspector of Police,
Dindigul Town North Police Station,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.8952 of 2025
Date :12/06/2025

MK/12.06.2025 5P/5C

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