



CRL OP(MD).No.9271 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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Ayyapan (M/34/2025)
S/o.Nagarajan

..Petitioner/ Accused No.4

Vs

The State of Tamilnadu
Rep.by The Inspector of Police,
Vadaseri Police Station,
Nagercoil,
Kanyakumari District.
(Crime No.72 of 2016)

.. Respondent/Complainant

For Petitioner : Mr.K.Althaf Sheriff
For M/s.Ajmal Associates
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in connection with case in S.C.No.174 of 2018 in Crime No.72 of 2016 on the file of the Principal District Court, Nagercoil, Kanyakumari

ORDER: This Court made the following order :-

The petitioner / Accused No.4, who was arrested and remanded into judicial



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custody on 18.10.2024 for the offences punishable under Sections 147, 342, 364, 506(ii) and 302 IPC in connection with Crime No.72 of 2016 in S.C.No.174 of 2018 on the file of the Principal District Court, Nagercoil, Kanayakumari, seeks bail.

2. The learned counsel for the petitioner submitted that When the case was posted for hearing, the petitioner did not appear before the trial Court. Accordingly, the lower Court issued Non Bailable Warrant against the petitioner for his non appearance and he was secured on 18.10.2024. He further submitted that due to some illness, he could not appeared before the trial Court. He further submitted that the petitioner is ready and willing to abide any conditions that may be imposed by this Court. He further submits that the petitioner undertakes that he will not abscond and he will regularly appear before the Trial Court on hearing dates without fail. He would further submit that the petitioner is in custody from 18.10.2024. Hence, he seeks bail.

3. The learned Government Advocate (Criminal Side) submitted that the petitioner failed to appear before the trial Court, due to which the trial Court had issued Non Bailable Warrant to the petitioner. The petitioner was arrested and remanded to judicial custody on 18.10.2024. He further submitted that the charge sheet has also been filed. However, he strongly objected to grant bail to the petitioner.

4. Taking into consideration of the facts and circumstances of the case and also



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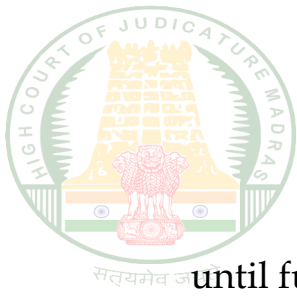
taking note of the fact that in this case, charges were framed. Considering the
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undertaking given by the learned Counsel for the petitioner, there is no previous case
against the petitioner, the petitioner/accused No.4 remanded into judicial custody on
18.10.2024, taking into consideration of the period of incarceration, this court is
inclined to grant bail to the petitioner, subject to the following conditions:

5. Accordingly, the petitioner is ordered to be released on bail on 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 Additional Sessions Judge (FTC),
Kanyakumari District at Nagercoil 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 Sessions Judge (FTC), Kanyakumari District at
Nagercoil. If the petitioner changes his residential address, he shall
report the same to the Additional Sessions Judge (FTC), Kanyakumari
District at Nagercoil;

[c] the petitioner shall appear and sign before the respondent
police daily twice at 10.30 a.m. and 05.30p.m., except on hearing dates,



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until further orders.

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[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/-
19/06/2025

/ TRUE COPY /

19/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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MSRM

TO

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1 THE PRINCIPAL DISTRICT JUDGE,
NAGERCOIL, KANYAKUMARI.

2 THE ADDITIONAL SESSIONS JUDGE (FTC),
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE OFFICER INCHARGE,
SUB JAIL, NAGERCOIL.

4 THE INSPECTOR OF POLICE,
VADASERI POLICE STATION,
NAGERCOIL,
KANYAKUMARI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN

CRL OP(MD) No.9271 of 2025

Date :19/06/2025

SA/SAR. /19.06.2025/5P/6C

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