



CRL OP(MD). No.10180 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27.06.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

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Muthuselvan @ Thothal

... Petitioner/ Accused No.1

Vs

State rep. through
The Inspector of Police,
SIPCOT Police Station,
Sivagangai District.
(Crime No.71 of 2019)

... Respondent/ Complainant

For Petitioner : Mr.S.Nihar Ali,
Advocate.

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

PETITION FOR BAIL Under Section 483 B.N.S.S.

PRAYER :-

For Bail in S.C.No.128 of 2022 on the file of the Principal Sessions Court,
Sivagangai, in connection with Crime No.71 of 2019 on the file of the respondent



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ORDER : The Court made the following order :-

The petitioner / Accused No.1, who is facing a case for the offences punishable under Sections 147, 148, 120(B), 302 IPC, in S.C.No.128 of 2022 on the file of the Principal Sessions Court, Sivagangai, in Crime No.71 of 2019 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that upon previous motive, on 26.05.2019 at about 07.45 a.m., the defacto complainant's son was brutally murdered by the petitioner along with co-accused. Hence, the case was registered by the respondent police in Crime No.71 of 2019 for the offence under Section 302 IPC altered into Sections 147, 148, 120(B) and 302 IPC. After investigation, the respondent police filed a final report stating that the petitioner along with co-accused unlawfully assembled with deadly weapons and committed murder of the deceased, thereby, committing the aforesaid offences. The final report was taken on file in S.C.No.128 of 2022 and is pending on the file of the Principal Sessions Court, Sivagangai.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution and that the petitioner is no way connected with the case, a false case has been lodged as against him. He would further submit that the petitioner



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has already obtained bail and was conducting the case on bail, whileso he was unable to appear before the trial Court on 08.06.2023 and hence, on the same day, Non-Bailable Warrant (NBW) was issued and the same was executed on 02.08.2023 and the petitioner is in judicial custody from 02.08.2023. The petitioner is ready to abide any condition imposed by this Court.

4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that since the petitioner has not appeared for the hearing on 08.06.2023, Non-Bailable Warrant (NBW) was ordered to be issued on 08.06.2023 and the same was executed on 02.08.2023 and that the petitioner is having 10 previous cases. He would further submit that the case is now pending before the trial for arguments and for pronouncing judgment. Hence, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also the previous bad antecedents of the petitioner and also taking note of the fact that after dismissal of the earlier petition, there is no change in circumstances, this court is not inclined to grant bail to the petitioner. However, considering the present stage of the case, the trial Court is hereby directed to complete the trial in S.C.No.128 of 2022 and dispose of the same within a period of two months from the date of receipt of a copy of this order.



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6. With the above direction, this Criminal Original Petition is disposed of.

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/07/2025

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

csm
TO

- 1 THE PRINCIPAL SESSIONS JUDGE, SIVAGANGAI.
- 2 THE OFFICER-INCHARGE, DISTRICT JAIL, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE, SIPCOT POLICE STATION, SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.10180 of 2025
Date :27/06/2025

NBF/08.07.2025 4P/5C

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