



CRL OP(MD).No.10037 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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Dhilipkumar,
S/o.Kandhasamy,

..Petitioner/ Accused No.1

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Jaihindpuram Police Station,
Madurai District.
(Crime No.1380 of 2017)

.. Respondent/ Complainant

For Petitioner : Mr.A.Thiyagarajan
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.1380 of 2017 on the file of the Respondent Police.



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ORDER: This Court made the following order :-

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The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 19.05.2025 for the offences punishable under Sections 147,148,294(b), 341, 323, 324, 506(ii) and 34 of IPC in Crime No.1380 of 2017 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that this petitioner and other accused persons were brutally attacked the defacto-complainant with knife and hands, due to which, the defacto-complainant had sustained severe injuries. Hence, the case.

3. The learned counsel for the petitioner would submit that earlier the petitioner was arrested and released on bail. Subsequently, the petitioner has failed to appear before the trial Court. On 18.06.2024 a Non-Bailable Warrant was issued against the petitioner. On 19.05.2025, the NBW warrant was executed and the petitioner was arrested and remanded into judicial custody. The petitioner was suffering from various health issues, due to which he could not appear before the trial Court and hence the trial Court issued Non Bailable Warrant against him. The Non-appearance of the petitioner before the Trial Court is neither willful nor wanton but only due to



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his ill health. 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 19.05.2025 nearly 29 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner already granted bail by the trial Court, but he failed to appear before the trial Court, due to which the trial Court had issued Nonailable Warrant to the petitioner. The petitioner was arrested and remanded to judicial custody on 19.05.2025. In this case, the trial Court posted the case for framing of charges. In this case, A3 died and other accused have regularly appeared before the trial Court. However, he strongly objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that this case is posted for framing of charges, considering the undertaken given by the learned Counsel for the petitioner, the petitioner/accused No.1 remanded into judicial custody on 19.05.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:



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6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of Judicial Magistrate No.IV, Madurai and on further conditions that :-

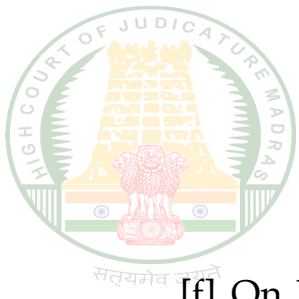
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] The petitioner shall furnish his residential address and contact number to the Judicial Magistrate No.IV, Madurai. If the petitioner changes his residential address, he shall report the same to the Judicial Magistrate No.IV, Madurai;

[c] the petitioner shall appear and sign before the Judicial Magistrate No.IV, Madurai at 10.30 a.m. on all working days, 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.



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[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/-

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

GVN

TO

1 THE JUDICIAL MAGISTRATE NO.IV
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI.

3 THE INSPECTOR OF POLICE
JAIHINDPURAM POLICE STATION,
MADURAI DISTRICT.

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4 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.

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

ORDER
IN

CRL OP(MD) No.10037 of 2025
Date :17/06/2025

SS/SAR- /17/06/2025/ 6P/6C

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