



CRL OP(MD). No.10338 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20.06.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

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R.Nadarajan,
S/o.Rangasamyreddy

...Petitioner / Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Sub-Inspector of Police,
Mayanur Police Station,
Karur District.
(Crime No.210 of 2005)

... Respondent/ Complainant

For Petitioner : Mr.A.Sivasubramanian,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS, 2023.

PRAYER :- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in respect of C.C.No.61 of 2021 on the file of the District



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Munsif cum Judicial Magistrate, Krishnarayapuram in connection with the Crime No.210 of 2005 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / accused, who was arrested and remanded to judicial custody on 04.06.2025. The petitioner was facing trial in C.C.No.61 of 2021 before the District Munsif cum Judicial Magistrate, Krishnarayapuram for the offence under Section 408 of the Indian Penal Code, 1860, in Crime No.210 of 2005 on the file of the respondent police, seeks bail.

2. Upon completion of the investigation, the respondent Police filed a final report, which was taken on file in C.C.No.61 of 2021 before the Learned District Munsif cum Judicial Magistrate, Krishnarayapuram. On 05.09.2024, the Learned Trial Court posted the case for examination of LW3, LW4, LW6, LW8, LW9, LW10, and LW11, and for production of records on 12.09.2024. However, on 12.09.2024, due to the absence of the petitioner during the trial proceedings, a Non-Bailable Warrant was issued, pursuant to which he was arrested on 04.06.2025. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted against the petitioner. He would further submit that the petitioner has been regularly appearing before the Learned Trial Court ever since the issuance of summons and had also engaged



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Counsel to defend his case. However, on 12.09.2024, he was unable to appear due to a bona fide reason, as he was not informed about the hearing date by his Counsel. Subsequently, his Counsel was also unable to contact him to update him on the status of the case. The petitioner is 79 years old and has already lost his hearing capacity. Nevertheless, he was arrested and remanded to judicial custody on 04.06.2025, and the case is now posted for evidence on 20.06.2025. He would further submit that the petitioner undertakes not to abscond in future. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the accused cheated the villagers to the tune of Rs. 11,169/- by collecting money from them under the pretext of remitting water tax to the Government. He would further submit that the petitioner had already filed a bail petition before the Learned Principal District and Sessions Judge, Karur, in Crl.M.P. No. 881 of 2025, and the same was dismissed on 13.06.2025 on the ground that the petitioner had been absconding for a period of eight years. Therefore, he opposes the grant of bail to the petitioner.

5. This Court has heard the learned counsel on both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the nature of the offence allegedly committed by the petitioner and also taking into



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consideration the period of incarceration and also taking note the undertaking given by the petitioner, this court is inclined to grant bail to the petitioner, however, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his 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 learned District Munsif cum Judicial Magistrate, Krishnarayapuram, 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 mobile number to the learned District Munsif cum Judicial Magistrate, Krishnarayapuram. If the petitioner changes his residential address, he shall report the same to the learned District Munsif cum Judicial Magistrate, Krishnarayapuram.

[c] the petitioner shall report before the learned District Munsif cum Judicial Magistrate, Krishnarayapuram on all working days at 10.00 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



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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 of BNS, 2023.

8. In the result, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
20/06/2025

/ TRUE COPY /

20/06/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL
TO
1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, KRISHNARAYAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, KARUR DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, KULITHALAI.



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4 THE SUB-INSPECTOR OF POLICE,
MAYANUR POLICE STATION,
KARUR DISTRICT.

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

ORDER
IN
CRL OP(MD) No.10338 of 2025
Date :20/06/2025

SA/SAR. /20.06.2025/6P/6C

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