



CRL OP(MD).No.10602 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.10602 of 2025

A.Tajuddin,
S/o.Abdul Rahim,

..Petitioner/ Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
District Crime Branch,
Nagercoil District.
(Crime No.95 of 2013)

.. Respondent/ Complainant

For Petitioner : Mr.B.Vinothkumar
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.95 of 2013 on the file of the Respondent Police.



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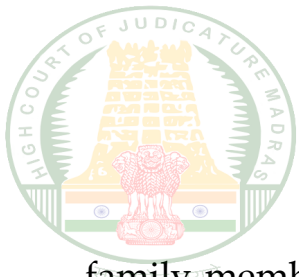
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ORDER : This Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 10.03.2025 for the offences punishable under Sections 406 and 420 of IPC @ 420 of IPC in Crime No.95 of 2013 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and one wins joined together and deceived various persons as if they will arrange job in Dubai and as such the petitioner received amount of Rs.15,70,000/- from various persons. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner has failed to appear before the trial Court. On 18.03.2019 a Non-Bailable Warrant was issued against the petitioner. On 10.03.2025, the NBW warrant was executed and the petitioner was arrested and remanded into judicial custody. The petitioner's wife was differently abled person and she had died on 19.12.2019, this petitioner's son aged about 24 years also died due to heart attack. The petitioner's father, had also died on 21.03.2025. The petitioner physically and mentally affected for the loss of his



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family members. This petitioner is not at all intending to escape for evading from the law. For the said reason only the petitioner could not appear before the trial Court, 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 the above said reasons. 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 10.03.2025 nearly 115 days. This petitioner is having permanent residence at Thirumangalam, Madurai. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit 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 10.03.2025. Now the trial Court posted the case for the examination of witnesses. Till now, 18 witnesses were examined. However, he objected to grant bail to the petitioner.

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



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taking note of the fact that this case is posted for the examination of further witnesses, this petitioner is having permanent residence at Thirumangalam, Madurai, considering the undertaking given by the learned Counsel for the petitioner, the petitioner/accused remanded into judicial custody on 10.03.2025, taking into consideration of the period of incarceration, 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 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 Judicial Magistrate No.I, 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 learned Judicial Magistrate No.I, Nagercoil. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.I,



Nagercoil;
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[c] the petitioner shall appear and sign before the learned Judicial Magistrate No.I, Nagercoil on all working days at 10.30a.m, until further orders.

[d] the petitioner shall not abscond either during 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].



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

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02/07/2025
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.I,
Nagercoil,
2. Do Through The Chief Judicial Magistrate,
Kanyakumari District @ Nagercoil.
3. The Officer In-charge, District Prison,
Nagercoil.
4. The Inspector of Police,
District Crime Branch,
Nagercoil District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.10602 of 2025
Date :02/07/2025

HPS/02.07.2025 /6P/6C

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