



CRL OP(MD). No.10722 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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(Criminal Jurisdiction)

Date : 26/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.10722 of 2025

Sakthivel,
S/o.Thirumalaisamy,

..Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep.by The Inspector of Police,
Dindigul NIBCID Police Station,
(Crime No.4 of 2003)

.. Respondent/Complainant

For Petitioner : M/s.P.Thanga Prithvi Rajan
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.4 of 2003 on the file of the Respondent Police.

ORDER: This Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial



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custody on 08.10.2024 for the offences punishable under Sections 8(c) r/w.20(b)(ii)

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(B) 25 of NDPS Act in Crime No.4 of 2003 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 17.01.2003, the respondent police conducted vehicle checkup, at that time, the petitioner and other accused was in illegal possession of 60Kgs of Ganja Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner was unable to appear before the trial court on 15.05.2024. Hence, a Non-bailable warrant was issued against this petitioner and the same was executed on 08.10.2024. The Non-appearance of the petitioner before the Trial Court is neither willful nor wanton. 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 08.10.2024 nearly 1 ½ year. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that



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earlier, this petitioner was arrested on 17.01.2003 and released on bail on 06.03.2003.

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Thereafter, he failed to appear before the trial court on 05.01.2009. A Non-bailable warrant was issued against him on 05.01.2009 and the same was recalled on 27.01.2009. Again, the petitioner was not present before the trial Court on 05.02.2016. Hence, a non-bailable warrant was issued on 05.02.2016. Thereafter, the case has been split up and it has been registered in C.c.No.19 of 2024. After split up, fresh non-bailable warrant was issued against the petitioner on 15.05.2024 and the same was executed on 08.10.2024. This is the third NBW issued against the petitioner. The trial Court has also issued NBW to other co-accused. It is the case of the year 2003, this petitioner frequently absconding. If bail is granted to the petitioner, he may abscond and thereby cause a delay in the trial proceedings. Hence, he 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 the petitioner frequently absconded and third Non Bailable Warrant was issued against him and the same was executed on 08.10.2024, if the petitioner released on bail, he may abscond and thereby cause delay in the trial proceedings, the trial was commenced, by this time, he may face the trial, this Court is not inclined to grant bail to the petitioner.



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6. Accordingly, this Criminal Original Petition is dismissed.

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/07/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN
TO

1 THE PRINCIPAL SPECIAL COURT FOR EC &
NDPS ACT CASE,
MADURAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.

3 THE INSPECTOR OF POLICE,
DINDIGUL NIBCID POLICE STATION,
DINDIGUL.

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

ORDER
IN
CRL OP(MD) No.10722 of 2025
Date :26/06/2025

NM/14.07.2025/ 4P/5C

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