



CRL OP(MD). No.10844 of 2025

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

Date : 30/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P.VADAMALAI

CRL OP(MD). No.10844 of 2025

Viju Raj

... Petitioner/Sole Accused No.1

Vs

**State of Tamil Nadu,
Rep by the Inspector of Police,
Nithiravilai Police Station,
Kanyakumari District.
(Crime No.228 of 2005)**

... Respondent/Complainant

For Petitioner : Mr.P.Sonu

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in S.C.No.56 of 2006 on the file of the Fast Track, Mahila Court, Nagercoil, in Crime No,228 of 2005 on the file of the respondent police..

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on



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26.10.2024 for the offence punishable under Section 366 A, 376 r/w.34 of IPC in
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S.C.No.56 of 2006 on the file of the Fast Track, Mahila Court, Nagercoil, in Crime
No,228 of 2005 on the file of the respondent police, seeks bail,

2. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that it is a case of the year 2005 and the investigation has been completed and the charge sheet has also been filed in S.C.No.56 of 2006 on the file of the Fast Track, Mahila Court, Nagercoil. He further submitted that the petitioner was not appear before the trial Court in the year 2016. Hence, Non-bailable warrant was issued against the petitioner in the year 2016 and the same was executed on 26.10.2024. He further submitted that the case was posted for PW1 examination. He further submitted that the petitioner is ready and willing to abide by any stringent conditions that may be imposed by this Court. Hence, he seeks bail to the petitioner.

3. The learned Government Advocate (Criminal Side) submitted that there are two previous cases pending against the petitioner and the petitioner was failed to appear before the concerned Magistrate and hence NBW was issued against the petitioner in the year 2016. After 8 years, the petitioner was arrested on 26.10.2024. He further submitted that if the petitioner is released on bail, he may be abscond.



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Hence, he opposed for grant of bail to the petitioner.

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4. Considering the facts and circumstances of the case and also the fact that there are 2 previous cases pending against the petitioner and Non-bailable warrant was issued in the year 2016 and executed on 26.10.2024 after 8 years, the petitioner was arrested. If the petitioner enlarging on bail at this point of time, he may abscond, and the petitioner is a habitual offender and considering the bad antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, this Criminal Original Petition is dismissed. No costs.

sd/-
30/06/2025

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/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MSRM

TO

1 THE FAST TRACK MAHILA COURT,
NAGERCOIL.

2 THE INSPECTOR OF POLICE,
NITHIRAVILAI POLICE STATION,
KANYAKUMARI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.10844 of 2025
Date :30/06/2025

NM/10.07.2025/ 4P/4C

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