



CRL OP(MD).No.10921 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

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Prasanth,
S/o.Senthilkumar,

..Petitioner/ Accused No.2

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.
(Crime No.188 of 2021)

.. Respondent/Complainant

For Petitioner : Mr.M.Muthuvel
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.188 of 2021 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody



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on 20.09.2024 for the offences punishable under Sections 294(b), 147, 148, 302 of IPC
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in Crime No.188 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto-complainant's son and deceased Balamurugan, were working at Hitech washer company. On 16.08.2021, due to previous enmity linked to a previous altercation, the petitioner and other accused inflicted severe injuries leading to defacto-complainant's son death on the spot. Hence, the case.

3. The learned counsel for the petitioner would submit that on 01.03.2024, the petitioner has failed to appear before the trial Court. On 01.03.2024 a Non-Bailable Warrant was issued against the petitioner. On 20.09.2024, the NBW warrant was executed and the petitioner was arrested and remanded into judicial custody. This petitioner was arrested in another crime number Cr.No.143 of 2023 and subsequently released on bail. This petitioner is not at all intending to escape for evading from the law. 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



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in custody from 20.09.2024 nearly one year. Hence, he seeks bail.

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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 20.09.2024. In this case, investigation was completed, charge sheet has also been filed and the same was taken on file in S.C.No.71 of 2022 on the file of the learned Additional District and Sessions Court, Sivagangai. Now the trial Court posted the case for framing of charges. In this case, already NBW issued to A3 and subsequently Warrant was recalled, A5 absconding, NBW also issued against the A5. This petitioner is habitual offender, he is frequently involved in various crimes in various districts. This petitioner not co-operated with the trial proceedings and he is willfully failed to appear for the successive hearings in order to delay the trial proceedings and hence the case is pending under the stage of questioning the accused for charge framing. If the petitioner released on bail, he would not appear for further hearings. Hence, he objected to grant bail to the petitioner.

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



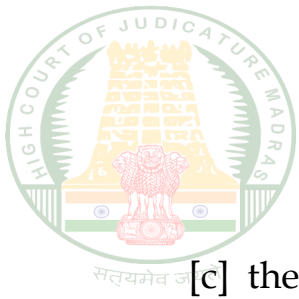
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taking note of the fact that investigation completed, charge sheet has also been filed
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and the same was taken on file in S.C.No.71 of 2022 on the file of the learned
Additional District and Sessions Judge, Sivagangai, the said case is posted for
framing of charges, considering the undertaking given by the learned Counsel for
the petitioner, the petitioner/accused No.2 remanded into judicial custody on
20.09.2024, 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 Additional District Judge,
Sivagangai 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 Additional District Judge, Sivagangai. If the petitioner changes his
residential address, he shall report the same to the learned Additional District Judge,
Sivagangai;



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[c] the petitioner shall appear and sign before the respondent police daily twice i.e., at 10.00a.m. and 5.00p.m. except on hearing dates, until further orders; and also the petitioner shall appear before the concerned Trial Court on hearing dates.

[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].

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

sd/-
21/07/2025

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



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TO

1. The Additional District Judge, ,
Sivagnagai.
2. The Superintendent, Central Prison,
Madurai.
3. The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.10921 of 2025
Date :21/07/2025

SBN/22.07.2025 6P/5C

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