



CRL OP(MD). No.11003 of 2025

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

Date : 07.07.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD). No.11003 of 2025

A.Radhakrishnan

... Petitioner/ Accused No.5

Vs

The State represented by
The Inspector of Police,
Kurumbur Police Station,
Thoothukudi.
(Crime No.145 of 2015)

... Respondent/Complainant

For Petitioner : Mr.D.Vijay Antony,
Advocate.

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

PETITION FOR BAIL Under Section 483 B.N.S.S.

PRAYER :-

For Bail in S.C.No.81 of 2019 on the file of the I Additional District and Sessions Court, Thoothukudi, in connection with Crime No.145 of 2015 on the file of the respondent police.



CRL OP(MD). No.11003 of 2025

ORDER : The Court made the following order :-

WEB COPY

The petitioner / Accused No.5, who is facing a case for the offences punishable under Sections 147, 148, 342, 294(b), 302 and 506(2) IPC, in S.C.No.81 of 2019 on the file of the I Additional District and Sessions Court, Thoothukudi, in Crime No.145 of 2015 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 21.08.2015, due to previous enmity, the petitioner along with other accused had abused the defacto complainant Krishnaraj in filthy language and attacked him with deadly weapons. Hence, a case came to be registered on 22.08.2015 in Crime No.145 of 2015 for the offences under Sections 147, 342, 294(b), 323, 307 and 506(2) IPC and on 25.08.2015, the said Krishnaraj succumbed to the injuries.

3. The learned counsel appearing for the petitioner would submit that after completion of investigation, the respondent police has filed a charge sheet and the same was taken on file in S.C.No.81 of 2019 on the file of the I Additional District and Sessions Court, Thoothukudi. On 22.03.2024, the petitioner failed to appear before the trial Court. Therefore, on the same day itself, Non-Bailable Warrant (NBW) was issued against the petitioner. On 02.11.2024, the warrant was executed



CRL OP(MD). No.11003 of 2025

WEB COPY

and the petitioner was arrested and remanded into judicial custody. Due to the ill-health of the petitioner, he is not able to appear before the trial Court on 22.03.2024. 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 would further submit 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 02.11.2024 for more than 8 months. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that the petitioner failed to appear before the trial Court, due to which the trial Court has issued a Non-Bailable Warrant (NBW) to the petitioner. The petitioner was arrested and remanded to judicial custody on 02.11.2024. In this case, charge sheet filed and the same was numbered as S.C.No.81 of 2019 and except this petitioner, all other accused were regularly appearing before the trial Court. Due to land dispute, the accused persons had murdered the defacto complainant. He would fairly concede that the petitioner is not having any previous cases. However, he strongly objected to grant bail to the petitioner.

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



CRL OP(MD). No.11003 of 2025

WEB COPY

considering the undertaking given by the learned counsel appearing for the petitioner and also the fact that the petitioner remanded into judicial custody on 02.11.2024, 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 I Additional District and Sessions Judge, Thoothukudi 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 I Additional District and Sessions Judge, Thoothukudi. If the petitioner changes his residential address, he shall report the same to the I Additional District and Sessions Judge, Thoothukudi;

[c] the petitioner shall appear and sign before the trial Court daily at 10.30 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



CRL OP(MD). No.11003 of 2025

investigation or trial;

WEB COPY

[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]; and

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

sd/-
07/07/2025

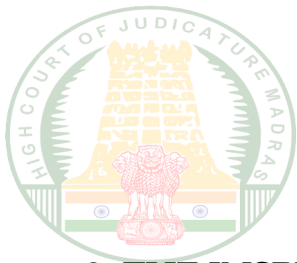
/ TRUE COPY /

07/07/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

CSM

TO

1. THE I ADDITIONAL DISTRICT AND SESSIONS JUDGE,
THOOTHUKUDI.
2. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.



CRL OP(MD). No.11003 of 2025

3. THE INSPECTOR OF POLICE,
KURUMBUR POLICE STATION,
THOOTHUKUDI.

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

+1 CC to M/s.D.VIJAY ANTONY, Advocate (SR-7200[I] dated 07/07/2025)

ORDER
IN

CRL OP(MD) No.11003 of 2025
Date :07/07/2025

PR/07.07 .2025 6P/6C

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