

CRL OP(MD). No.11810 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/07/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.11810 of 2025

Suresh, (M/46/2025)
S/o.Sundaram

...Petitioner/ Sole Accused

Vs

State of Tamil Nadu
Rep by the Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.
(Crime No.59 of 2023)

... Respondent/Complainant

For Petitioner : Mr.A.Robinson
Advocate.

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.180 of 2023 on the file of the learned Assistant Sessions Court, Padmanabhapuram in Crime No.59 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-



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The petitioner /Sole Accused, who was arrested and remanded to judicial custody on 18.06.2025 for the offences punishable under Sections 341, 294(b), 307 and 506(2) of IPC, in S.C.No.180 of 2023 on the file of the learned Assistant Sessions Court, Padmanabhapuram in Crime No.59 of 2023 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 originally NBW was issued in the year 2023 and he was enlarged on bail subsequently. He further submitted that the petitioner has appeared before the Court on 18.06.2025 and on the said date, the lower court counsel has not appeared before the Court because he has appeared before this Court with regard to another case. He further submitted that the petitioner has appeared and the said date, the learned Assistant Sessions, had remanded the accused person. He further submitted that the petitioner undertakes to appear before the Court in future without fail. Hence, he seeks bail.

3. The learned Government Advocate (Criminal Side) would submit that the investigation has been completed and the charge sheet has also been laid. He would further submit that there are 7 previous cases pending against the petitioner out of which 2 cases are pending. However, he objected to grant bail to the petitioner.



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4. It is seen from records, it reveals that the petitioner was arrested on 28.03.2023 and he released on bail subsequently. Further, the investigation has been completed and the charge sheet has also been laid and the case was taken on file committed to the Sessions Court in S.C.No.180 of 2023 on the file of the Sub Court, Padmanabhapuram. Further, the matter was posted on 18.06.2025 for examination of LW1 and LW2. On the said date the petitioner was present and witnesses were examined by the learned Assistant Sessions Judge and the petitioner has not ready to cross examine the witnesses through his counsel. Hence, the lower Court has remanded the petitioner and the same date by following the guidelines issued by the Hon'ble Supreme Court in the case of Vinothkumar. Further, taking into consideration of the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

5. 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 the learned Judicial Magistrate-II, Padmanabhapuram, Kanyakumari District, 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.



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[b] the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate-II, Padmanabhapuram, Kanyakumari District.

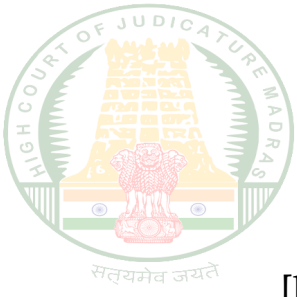
(c) If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate-II, Padmanabhapuram, Kanyakumari District.

[d] the petitioner shall report before the learned Assistant Sessions Court, Padmanabhapuram on all working days at 10.30 a.m., until further orders.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

sd/-

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14/07/2025

Sub-Assistant Registrar ()

Madurai Bench of Madras High Court,
Madurai - 625 023.

msrm

TO

- 1 THE JUDICIAL MAGISTRATE-II, PADMANABHAPURAM, KANYAKUMARI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE OFFICER INCHARGE, NAGERCOIL PRISON, KANYAKUMARI DISTRICT.
- 4 THE INSPECTOR OF POLICE, THIRUVATTAR POLICE STATION, KANYAKUMARI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

Copy to

THE ASSISTANT SESSIONS JUDGE, PADMANABHAPURAM.



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ORDER

IN

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Date :14/07/2025

NBF/SAR- /14/07/2025/ 6P/7C

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