



CRL OP(MD).No.11750 of 2025

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

Date : 11/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.11750 of 2025

**Poolpandi,
S/o.Samiyapandian,**

..Petitioner/ Accused

Vs

**The State of Tamilnadu
rep.by The Inspector of Police,
Nazareth Police Station,
Nazareth, Thoothukudi District.
(Crime No.175 of 2013)**

.. Respondent/Complainant

**For Petitioner : Mr.N.Pragalathan
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.175 of 2013 on the file of the Respondent Police.



CRL OP(MD).No.11750 of 2025

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ORDER: This Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 08.10.2024 for the offences punishable under Sections 392, 395 of IPC in Crime No.175 of 2013 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that this petitioner and five others have a common intention to commit dacoity. On 06.12.2013 at about 1.45p.m., all the accused persons came by 3 two wheelers and snatched the victim's gold chain. Hence, the case.

3. The learned counsel for the petitioner would submit that due to ill health, on 12.03.2024, the petitioner has failed to appear before the trial Court. On 12.03.2024 a Non-Bailable Warrant was issued against the petitioner. On 08.10.2024, the NBW warrant was executed, and the petitioner was arrested and remanded into judicial custody. Due to illness, the petitioner has not able to attend the hearing before the trial Court. For the said reason only the petitioner could not appear before the trial Court, the trial Court issued Non Bailable Warrant against him. The Non-appearance of the petitioner before the Trial Court is neither willful nor wanton but



CRL OP(MD).No.11750 of 2025

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only due to the above said reasons. This petitioner is not at all intending to escape for evading from the law. The petitioner is ready and willing to abide any conditions that may be imposed by this Court. Already, the accused Nos.1 to 5 were acquitted by the learned I Additional District and Sessions Court, Thoothukudi in S.C.No.11 of 2023 dated 18.11.2024. 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 judicial custody from 08.10.2024 nearly eight months. Hence, he seeks bail.

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 08.10.2024. Already, the accused Nos.1 to 5 were acquitted by the learned I Additional District and Sessions Court, Thoothukudi in S.C.No.11 of 2023 dated 18.11.2024. The charge sheet filed against this petitioner was taken on file in S.C.No.191 of 2023 on the file of the I Additional District and Sessions Court, Thoothukudi. This petitioner is having four previous cases, all are similar in nature. Hence, he objected to grant bail to the petitioner.



CRL OP(MD).No.11750 of 2025

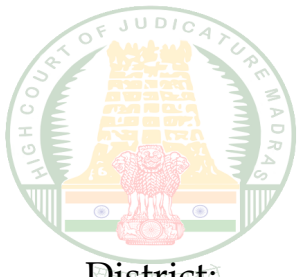
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5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that already, the Accused Nos.1 to 5 were acquitted by the learned I Additional District and Sessions Court, Thoothukudi in S.C.No.11 of 2023 dated 18.11.2024, considering the undertaking given by the learned Counsel for the petitioner, the petitioner/accused remanded into judicial custody on 08.10.2024, 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 I Additional District and Sessions Court, Thoothukudi, Thoothukudi 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.

[b] The petitioner shall furnish his residential address and contact number to the learned I Additional District and Sessions Court, Thoothukudi, Thoothukudi District. If the petitioner changes his residential address, he shall report the same to the learned I Additional District and Sessions Court, Thoothukudi, Thoothukudi



District;

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CRL OP(MD).No.11750 of 2025

[c] the petitioner shall appear and sign before the respondent police daily at 10.30a.m., except on hearing dates, until further orders, and the petitioner shall appear before the concerned trial Court on hearing dates without fail.

[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/-
11/07/2025

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



CRL OP(MD).No.11750 of 2025

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TO

1 THE I ADDITIONAL DISTRICT AND SESSIONS COURT,
THOOTHUKUDI, THOOTHUKUDI DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.

3 THE INSPECTOR OF POLICE,
NAZARETH POLICE STATION,
NAZARETH, THOOTHUKUDI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.11750 of 2025
Date :11/07/2025

NM/11.07.2025/ 6P/5C

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