



CRL OP(MD).No.11980 of 2025

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

Date : 16/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.11980 of 2025

Sabarikanthan,
S/o.Sugumar,

..Petitioner/ Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Dindigul Town South Police Station,
Dindigul.
(Crime No.1908 of 2020)

.. Respondent/ Complainant

For Petitioner : Mr.K.Sivabalan
Advocate.
for
M/s.Aran Legal consultancy

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

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER :- For Bail in Crime No.1908 of 2020 on the file of the Respondent Police.

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ORDER : This Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 02.08.2024 for the offences punishable under Sections 120(B), 147, 148, 149, 302 and 506(ii) of IPC in Crime No.1908 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 22.10.2020, at about 08.15p.m the defacto-complainant along with the deceased went to restaurant to have dinner at that time the petitioner along with other accused persons were attacked the deceased with sword. Hence, the case.

3. The learned counsel for the petitioner would submit that on 15.06.2024, the petitioner has failed to appear before the trial Court. On 15.06.2024 a Non-Bailable Warrant was issued against the petitioner. On 02.08.2024, the NBW warrant was executed and the petitioner was arrested and remanded into judicial custody. 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



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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 in custody from 02.08.2024 nearly 11 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 02.08.2024. In this case, investigation was completed, charge sheet has also been filed and the same was taken on file in S.c.No.125 of 2021 on the file of the learned Additional District and Sessions Court, Dindigul. Now the trial Court posted the case for the examination of prosecution side witnesses. In this case, A7 absconding, NBW also issued against the A7. Hence, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that investigation completed, charge sheet has also been filed and the same was taken on file in S.C.No.125 of 2021 on the file of the learned



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District and Sessions Judge, Dindigul, the said case is posted for the examination of prosecution side witnesses, considering the undertaking given by the learned Counsel for the petitioner, the petitioner/accused remanded into judicial custody on 02.08.2024, 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 cum Sessions Court, Dindigul 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 cum Sessions Court, Dindigul. If the petitioner changes his residential address, he shall report the same to the learned Additional District cum Sessions Court, Dindigul;

[c] the petitioner shall appear and sign before the respondent police daily



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twice i.e., at 10.30a.m. and 5.30p.m. except on hearing dates, until further orders;

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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/-
16/07/2025

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



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TO

1 THE ADDITIONAL DISTRICT CUM SESSIONS COURT,
DINDIGUL.

2 THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.

3 THE INSPECTOR OF POLICE,
DINDIGUL TOWN SOUTH POLICE STATION,
DINDIGUL DISTRICT.

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

+1. CC to M/S. ARAN LEGAL CONSULTANCY Advocate SR.No.7665 (I)
DT.16/07/2025

ORDER
IN

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Date :16/07/2025

NM/17.07.2025/ 6P/6C

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