



CRL OP(MD).No.12299 of 2025

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

Date : 28/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.12299 of 2025

B.Kattaibrabhu @ Arunbrabhu,
S/o.Balu,

..Petitioner/ Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Aravakurichi Police Station,
Karur
(Crime No.109 of 2017)

.. Respondent/Complainant

For Petitioner : Mr.A.Joel Paul Antony
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.109 of 2017 on the file of the Respondent Police.

ORDER: This Court made the following order :-

The petitioner / Accused, who was arrested and remanded into judicial



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custody on 26.05.2025 for the offences punishable under Sections 454 and 380 of IPC
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in Crime No.109 of 2017 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 01.03.2017, the petitioner had robbed 1 sovereign of gold chain and 1/2 sovereigns of gold ring from the house of the defacto-complainant. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner had failed to appear before the trial Court. On 21.04.2025, a Non-Bailable Warrant was issued against the petitioner. On 26.05.2025, 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 petitioner was affected with jaundice, due the said reason only, on 21.04.2025, at the time of hearing, he 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 for the above said reason. 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 in custody from 26.05.2025 for the past 120 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the



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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 26.05.2025. Now the trial was commenced in C.C.No.122 of 2024 on the file of the learned Judicial Magistrate, Aravakurichi. While issuing the NBW by the trial Court in the present case, this petitioner was in judicial custody in some other case in Crime No.84 of 2025 on the file of Valangaiman Police Station. However, 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 now the trial was commenced in C.C.No.122 of 2024 on the file learned Judicial Magistrate, Aravakurichi, at the time of issuing NBW, this petitioner was arrested in some other case, considering the undertaking given by the learned Counsel for the petitioner, the petitioner/accused remanded into judicial custody on 26.05.2025, 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.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of learned District Munsif cum Judicial Magistrate, Aravakurichi, Karur and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the



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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 contact number to the learned District Munsif cum Judicial Magistrate, Aravakurichi, Karur. If the petitioner changes his residential address, he shall report the same to the learned District Munsif cum Judicial Magistrate, Aravakurichi, Karur;

[c] the petitioner shall appear and sign before the Inspector of Police, Valangaimaan Police Station daily at 10.30.a.m., except on hearing dates, until further orders and the petitioner shall appear before the concerned Trial Court on hearing dates.

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



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

sd/-
28/07/2025

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

gvn

TO

1. The District Munsif cum Judicial Magistrate, Aravakurichi, Karur.
2. Do Through The Chief Judicial Magistrate, Karur District.
3. The Superintendent, Central Prison, Trichy.
4. The Inspector of Police,
Aravakurichi Police Station, Karur District.
5. The Inspector of Police,
Valangaimaan Police Station, Thiruvarur District.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.12299 of 2025
Date :28/07/2025

SBN/29.07.2025 5P/7C

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