



CRL OP(MD).No.12379 of 2025

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

Date : 30/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.12379 of 2025

Poolpandi,
S/o.Moorthy,

..Petitioner/ Accused No.5

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Thalaiyuthu Police Station,
Thaliyuthu,
Tirunelveli District.
(Crime No.341 of 2015)

.. 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.341 of 2015 on the file of the Respondent Police.

ORDER: This Court made the following order :-

The petitioner / Accused No.5, who was arrested and remanded into judicial



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custody on 28.08.2024 for the offences punishable under Sections 147, 148, 341, 294
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(b), 302, 120(B) r/w.149 of IPC in Crime No.341 of 2015 on the file of the respondent
police, seeks bail.

2. The case of the prosecution is that the deacto-complainant is the wife of the deceased. On 12.11.2015, at about 5.45a.m., the deceased left the home saying that he was taking his car on hire, but he did not return home even after 12.00p.m. Hence, the defacto-complainant and the brother of the deceased searched the deceased, at that time, they found the body of the deceased with cut injuries. On investigation, it was revealed that this petitioner and other accused persons were murdered the deceased. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner had failed to appear before the trial Court. On 29.01.2024, a Non-Bailable Warrant was issued against the petitioner. On 28.08.2024, 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. Due to illness, on 29.01.2024, 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



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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 28.08.2024 for the past 11 months two weeks. 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 28.08.2024. Now the trial was commenced in S.C.No.418 of 2016 on the file of the learned III Additional District and Sessions Court, Tirunelveli. This petitioner is having six previous cases. 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 now the trial was commenced in S.C.No.418 of 2016 on the file learned III Additional District and Sessions Court, Tirunelveli, considering the undertaking given by the learned Counsel for the petitioner, the



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petitioner/accused No.5 remanded into judicial custody on 28.08.2024, taking into
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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 III Additional District and
Sessions Court, Tirunelveli, Tirunelveli 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 III Additional District and Sessions Court, Tirunelveli, Tirunelveli
District . If the petitioner changes his residential address, he shall report the same to
the learned III Additional District and Sessions Court, Tirunelveli, Tirunelveli
District;

[c] the petitioner shall appear before the learned III Additional District and
Sessions Court, Tirunelveli, Tirunelveli District on all working days at 10.30a.m until



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further orders.

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[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].

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

sd/-
30/07/2025

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31/07/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gvn



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TO मेव जयते

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1. The III Additional District and Sessions Court,
Tirunelveli, Tirunelveli District
2. The Superintendent, Central Prison, Palayamkottai.
3. The Inspector of Police,
Thalaiyuthu Police Station,
Thalaiyuthu,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

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Date :30/07/2025

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