



CRL OP(MD).No.12331 of 2025

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

Date : 22/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.12331 of 2025

**Boominathan,
S/o.Bharathi,**

..Petitioner/ Accused No.2

Vs

**The State of Tamilnadu
rep.by The Inspector of Police,
Thilagar Thidal Police Station,
Madurai District.
(Crime No.810 of 2022)**

.. Respondent/Complainant

**For Petitioner : Mr.K.Dinesh
Advocate.**

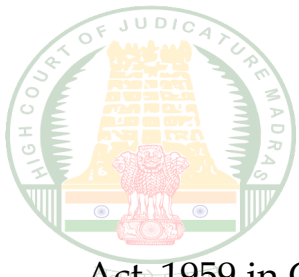
**For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)**

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.810 of 2022 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 21.04.2025 for the offences punishable under Sections 25(1A) of Arms



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Act, 1959 in Crime No.810 of 2022 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the respondent police was conducted regular vehicle checkup, at that time, after seeing the police officials, the petitioner and other accused persons were tried to escape from the spot. The respondent police caught all the accused persons and enquired and check them, and they found three deadly weapons from the accused persons. Hence, the case.

3. The learned counsel for the petitioner would submit that on 28.01.2025, the petitioner has failed to appear before the trial Court. On 28.01.2025 a Non-Bailable Warrant was issued against the petitioner. On 21.04.2025, the NBW warrant was executed and the petitioner was arrested and remanded into judicial custody. This petitioner was arrested in another crime number Cr.No.312 of 2023 and subsequently released on bail. 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 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



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in custody from 21.04.2025 nearly 90days. Hence, he seeks bail.

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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 21.04.2025. In this case, investigation was completed, charge sheet has also been filed and the same was taken on file in S.C.No.312 of 2023 on the file of the learned VI Additional District and Sessions Court, Madurai. Now the trial Court posted the case for framing of charges. In this case, already NBW issued to A4 and subsequently warrant was recalled. This petitioner is having three previous cases. If the petitioner released on bail, he would not appear for further hearings. 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 has been completed, charge sheet has also been filed and the same was taken on file in S.C.No.312 of 2023 on the file of the learned VI Additional District and Sessions Judge, Madurai, the said case is posted for framing of charges, considering the undertaking given by the learned Counsel for the petitioner, the petitioner/accused No.2 remanded into judicial custody on



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21.04.2025, taking into consideration of the period of incarceration, this court is

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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 Judicial Magistrate Court No.2, Madurai 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 Judicial Magistrate Court No.2, Madurai. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate Court No.2, Madurai;

[c] the petitioner shall appear and sign before the respondent police daily 10.30a.m. except on hearing dates, until further orders; 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



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investigation or trial.

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[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/-
22/07/2025

/ TRUE COPY /

22/07/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gvn

TO

1. The VI Additional District and Sessions Judge,
Madurai.
2. The Judicial Magistrate Court No.2,
Madurai.



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3. Do Through The Chief Judicial Magistrate,
Madurai

4. The Superintendent, Central Prison,
Madurai.

5. The Inspector of Police,
Thilagar Thidal Police Station,
Madurai District.

6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN

CRL OP(MD) No.12331 of 2025

Date :22/07/2025

SBN/22.07.2025 6P/7C

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