



CRL OP(MD).No.12582 of 2025

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

Date : 25/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P. VADAMALAI

CRL OP(MD).No.12582 of 2025

Thakkaram Sowthri,
S/o.Savaramji,

..Petitioner/ Accused
No.4

Vs

The State of Tamil Nadu,
Rep. by The Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.
(Crime No.93 of 2015)

.. Respondent/ Complainant

For Petitioner : M/s.P.Subha Rani
Advocate.

For Respondent : Mr.M.Karunanithi
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.93 of 2015 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.4, who was surrendered and remanded to



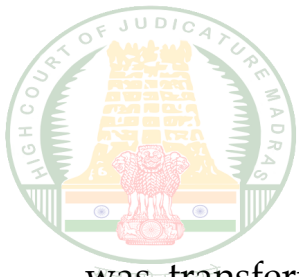
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judicial custody on 26.06.2025 for the offences punishable under Sections 34, 109, 380(2), 411, 414 and 457(2) of IPC in Crime No.93 of 2015 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the defacto-complainant lodged a complaint and stated that on 20.04.2025, totally six idols and one copper Vel was stolen from Arulmigu Aadhirethineshwarar Thirukovil in Thiruvadanai, Ramanathapuram District. The idols of goddess Sri Vinayagar, Sri Subramaniyar, Sri Chandrasekarar, Sri Bhavani Amman, Sri Sulappidari, Sri Asthiradevi and the one Copper Vel were stolen. Hence, the case.

3. The learned Counsel for the petitioner would submit that there are totally six accused persons. This petitioner was arrayed as Accused No.4. This petitioner is the resident of Gujarat. A case in C.C.No.53 of 2018 is previously pending before the learned Additional Chief Judicial Magistrate, Kumbakonam and the same transferred to Additional Chief Judicial Magistrate, Madurai in C.C.No.1177 of 2025. On 12.06.2024, this petitioner has failed to appear before the Additional Chief Judicial Magistrate, Kumbakonam for the trial of C.c.No.53 of 2018, the trial court has issued Non Bailable Warrant against this petitioner and consequently the case



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was transferred to Additional Chief Judicial Magistrate, Madurai. On 26.06.2025, this petitioner have voluntarily surrendered before the learned Additional Chief Judicial Magistrate, Madurai and the learned trial Court recalled the NBW pending against the petitioner. This petitioner's mother is residing in Ahamadabad City of Gujarat and she is 70 year old, she is suffering from Tuberculosis, Asthama, Diabetics and Hypothyroidism and she was admitted in Anantha Hospital in Ahamadabad City. This petitioner is a only son of his mother and he has to take care of his mother. This petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. The petitioner is ready and willing to abide any conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 26.06.2025, nearly 33 days. The petitioner is law-abiding citizen and he will not abscond and he is ready and willing to abide any stringent conditions imposed by this Court. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that it is the case of idol theft. The specific allegations against this petitioner is that he received two idols from other accused and he melted the same and sold. A Charge sheet has been filed against the six accused persons and taken on file in C.C.No.53 of 2018 on the file of Additional Chief Judicial Magistrate, Kumbakonam and



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thereafter, the case was split up and transferred to the file of the Additional Chief Judicial Magistrate, Madurai in C.C.No.1177 of 2025. This petitioner failed to appear before the trial Court, the trial Court had issue Non Bailable Warrant and thereafter, this petitioner voluntarily surrendered before the trial Court, accordingly, the NBW warrant was recalled by the trial Court. The petitioner belongs to Gujarat. Moreover, proclamation order has also been passed against the accused persons. Due to non-appearance of the petitioner, the progress of the case is hampered and the case is pending for the past eight years. If the petitioner is released on bail, there is a chance for absconding and there will be no progress in the trial proceedings. If bail is granted to the petitioner, he may abscond and thereby caused inordinate delay in the trial proceedings and there is every chance to threaten the witnesses. Hence, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking into consideration of the fact that this petitioner is resident of Gujarat, if he released on bail, there is every chance to abscond, the trial of the case is also commenced, and also considering the gravity and nature of offence involved in this case, this court is not inclined to grant bail to the petitioner.



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6. Accordingly, this Criminal Original Petition is stands dismissed.

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

gvn

TO

1. The Superintendent,
Central Prison, Madurai.

2. The Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.

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

ORDER

IN

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Date :25/07/2025

PS/SAR.13.08.2025 5P/4C

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