

CRL OP(MD).No.12844 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31.07.2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.12844 of 2025

Jafar Sathik

..Petitioner/ Sole Accused

Vs

The State of Tamilnadu
Rep.by The Inspector of Police,
Town North Police Station,
Dindigul.
(Crime No.768 of 2005)

.. Respondent/ Complainant

For Petitioner : Mr.R.Muthukumaran

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in S.C.No.39 of 2020, on the file of the learned Sessions Judge, Fast Track Mahila Court, Dindigul in Crime No.768 of 2005 on the file of the respondent police.



CRL OP(MD).No.12844 of 2025

ORDER: This Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 14.05.2025 for the offences punishable under Sections 366(A) and 376 of IPC, in S.C.No.39 of 2020, on the file of the learned Sessions Judge, Fast Track Mahila Court, Dindigul, in Crime No.768 of 2005, on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that after the registration of the case in Crime No.768 of 2005, he was enlarged on bail. Further, the respondent police have completed the investigation and filed a charge sheet in S.C.No.39 of 2020 before the learned Sessions Judge, Fast Track Mahila Court, Dindigul. He further submitted that due to non-appearance of the petitioner, the trial Court has issued NBW against the petitioner on 14.09.2023 and the same was executed on 14.05.2025. He further submitted that the petitioner undertakes that he will not abscond and he will regularly appear before the Trial Court on hearing dates without fail. He further submitted that the petitioner is in judicial custody from 14.05.2025. Hence, he seeks bail.

3. The learned Government Advocate (Criminal Side) submitted that the petitioner failed to appear before the trial Court, due to which the trial Court had issued Non Bailable Warrant to the petitioner. He further submitted that the investigation has been completed and the charge sheet has also been filed and there



CRL OP(MD).No.12844 of 2025

WEB COPY

is no previous case pending against the petitioner. However, he objected to grant bail to the petitioner.

4. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the occurrence was happened in the year 2005 and NBW was issued against the petitioner on 14.09.2023 and the same was executed on 14.05.2025 and also considering the nature of offence committed by the petitioner, considering the undertaking given by the learned Counsel for the petitioner, there is no previous case against the petitioner, this court is inclined to grant bail to the petitioner, subject to the following conditions:

5. 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 the learned Sessions Judge, Fast Track Mahila 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.



CRL OP(MD).No.12844 of 2025

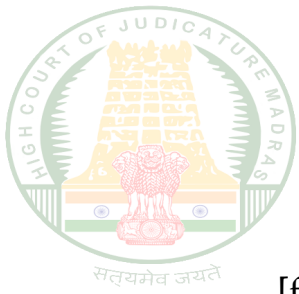
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[b] The petitioner shall furnish his residential address and contact number to the learned Sessions Judge, Fast Track Mahila Court, Dindigul. If the petitioner changes his residential address, he shall report the same to the learned Sessions Judge, Fast Track Mahila Court, Dindigul.

[c] the petitioner shall appear and sign before the respondent police daily at 10.00 a.m., and 05.00 p.m., until further orders except on the Court hearings. Further, the petitioner is directed to appear before the learned Sessions Judge, Fast Track Mahila Court, Dindigul on all 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.



CRL OP(MD).No.12844 of 2025

WEB COPY

[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/-

31/07/2025

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31/07/2025

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

msrm
TO

- 1 THE SESSIONS JUDGE, FAST TRACK MAHILA COURT, DINDIGUL.
- 2 THE OFFICER INCHARGE, DISTRICT JAIL, DINDIGUL.
- 3 THE INSPECTOR OF POLICE, TOWN NORTH POLICE STATION, DINDIGUL.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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CRL OP(MD).No.12844 of 2025

ORDER

IN

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Date :31/07/2025

NBF/SAR- /31/07/2025/ 6P/5C

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