



CRL OP(MD).No.12758 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/08/2025

PRESENT

THE HONOURABLE MR.JUSTICE P. VADAMALAI

CRL OP(MD).No.12758 of 2025

Sabaraikanthan,
S/o.Sugumar,

..Petitioner/ Accused No.8

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Nilakottai Police Station,
Dindigul District.
(Crime No.134 of 2014)

.. Respondent/ Complainant

For Petitioner : Mr.K.Sivabalan
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.134 of 2014 on the file of the Respondent Police.

ORDER :- This Court made the following order :-
<https://www.mhc.tn.gov.in/judis>



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The petitioner / Accused No.8, who was arrested and remanded to judicial custody on 07.08.2024 for the offences punishable under Sections 120(B), 147, 148, 149, 449, 302 and 380 of IPC in Crime No.134 of 2014 on the file of the respondent police, seeks bail.

2. The petitioner has been charged for the offences punishable under sections 120 (B), 147, 148, 149, 449, 302 and 380 of IPC in Crime No.134 of 2014. The said case was pending for the trial before the trial Court in S.C.No.117 of 2018. On 05.04.2025, at the time of hearing in S.C.No.117 of 2018 before the learned Fast Track Mahila Court, Dindigul, the petitioner was absent. Due to which, a Nonailable warrant was issued upon the petitioner and the same was executed on 07.08.2024.

3. The learned counsel for the petitioner would submit that there are totally 14 accused persons, this petitioner was arrayed as Accused No.8. This petitioner was arrested in another case in Crime No.428 of 2024 on the file of Anna Nagar Police Station. For the said reason only, he unable to appear before the concerned trial Court. The trial Court had issued NBW on 05.04.2024 and the same was executed on 07.08.2024. This petitioner is not at all intending to escape for evading from the law. Due the said reason only, the petitioner could not appear before the trial Court. The



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Non-appearance of the petitioner before the Trial Court is neither willful nor wanton but only due to the above said reasons. 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 07.08.2024 nearly one year. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that already the trial Court issued NBW against this petitioner on 05.10.2021 and the same was executed on 11.02.2022, after release, the petitioner involved in another murder case in Cr.No.428 of 2024 on the file of the Anna Nagar Police Station, Madurai City. This petitioner was detained under under TamilNadu Act 14 of 1982 and the same was revoked in HCP(MD).No.1331 of 2024 dated 07.07.2025. This petitioner failed to appear before the trial Court. Hence, the trial Court has issued NBW against this petitioner on 05.04.2024 and the same was executed on 07.08.2024. Insofar as Crime No.134 of 2014 is concerned, the said case was committed in S.C.No.117 of 2018 on the file of learned Fast Track Mahila Court, Dindigul and the case is pending for the examination of witnesses and material witness had already been examined and this petitioner has not chosen to cross-examine those witnesses.



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This petitioner has not co-operated with the trial proceedings and he is willfully failed to appear for the successive hearings in order to delay the trial proceedings. 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 NBW was already issued against this petitioner on 05.10.2021 and the same was executed on 11.02.2022, again he failed to appear before the trial Court and the trial Court issued NBW on 05.04.2025 and the same was executed on 07.08.2024, the petitioner involved in another murder case in Cr.No.428 of 2024 on the file of the Anna Nagar Police Station, Madurai City, the case in S.C.No.117 of 2018 is pending on the file of learned Fast Track Mahila Court, Dindigul, and the case is pending for the examination of witnesses and material witness had already been examined and this petitioner has not chosen to cross-examine those witnesses which shows that he has not co-operated with the trial proceedings and he is willfully failed to appear before the trial Court, if the petitioner released on bail, he may threaten the witnesses and delayed the trial proceedings and considering the gravity of offence, at this stage, this Court is not inclined to grant bail to the petitioner.



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6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
06/08/2025

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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,
Nilakottai Police Station,
Dindigul District.

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

ORDER
IN
CRL OP(MD) No.12758 of 2025
Date :06/08/2025

HPS/16.09.2025 5P/4C

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