



CRL OP(MD).No.13015 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/08/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.13015 of 2025

Pandi,
S/o.Mappilaisamy.

: Petitioner/ A1

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Theppakkulam Police Station,
Madurai District.
(Crime No.33 of 2011)

: Respondent/ Complainant

For Petitioner : Mr.J.Pon Eswara Moorthy,
Advocate.

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.322 of 2020 on the file of the V Additional District Judge, Madurai, in connection with the case in Crime No.33 of 2011 on the file of the Respondent Police.



CRL OP(MD).No.13015 of 2025

WEB COPY

ORDER : This Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 15.04.2025 for the offences punishable under Section 302 IPC, in Crime No.33 of 2011 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner, along with other accused persons, entered into a criminal conspiracy and committed murder in retaliation for the murder of their friend. Hence, the complaint.

3.It is not in dispute that the petitioner's earlier bail application in Crl.OP(MD) No.10359 of 2025 was dismissed by this Court on 04.07.2025 on the ground that the petitioner is having 20 previous cases and NBW was issued in the year 2022 and executed only on 15.04.2025.

3.The learned counsel for the petitioner submitted that the petitioner's son, aged 1½ years, passed away due to illness on 24.05.2025. On the same day, the petitioner was granted parole for only a period of three hours. Thereafter, the petitioner was returned to judicial custody by complying the order of this Court and the petition in Crl.OP(MD)No.10359 of 2025 was dismissed on 04.07.2025. He further submitted that the petitioner is ready and willing to abide any conditions that may be imposed by this Court and undertakes that the petitioner will appear before the trial Court in



CRL OP(MD).No.13015 of 2025

future without fail. The petitioner is in custody for the past 60 days. Hence, he seeks
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bail.

4. The learned Government Advocate (Criminal Side) submitted that the petitioner, along with other accused persons, entered into a criminal conspiracy and committed murder in retaliation for the murder of their friend. Further, the petitioner is having 12 previous cases, out of which, eight cases were disposed of and four cases are pending. The petitioner was failed to appear before the concerned trial Court and hence, NBW was issued against the petitioner in the year 2022. After 2 ½ years, the petitioner was arrested on 15.04.2025. If the petitioner is released on bail, he may be absconded and the trial will be stalled. Hence, he opposed to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also the fact that the investigation has been completed and after filing of charge sheet, the case was taken on file in S.C.No.322 of 2020 and is pending on the file of the V Additional District Judge, Madurai and considering the undertaking given by the petitioner that he will appear before the trial Court regularly in future and taking note of the fact that the petitioner remanded into judicial custody on 15.04.2025, taking into consideration of the period of incarceration, this Court is inclined to grant bail to the petitioner, subject to the following conditions:



CRL OP(MD).No.13015 of 2025

WEB COPY

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 V Additional District Judge, Madurai and on further conditions that :-

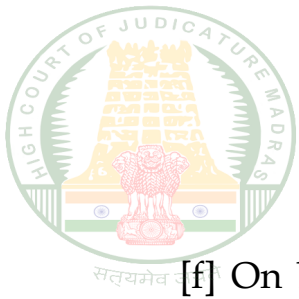
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] The petitioner shall furnish his residential address and contact number to the learned V Additional District Judge, Madurai. If the petitioner changes his residential address, he shall report the same to the learned V Additional District Judge, Madurai;

[c] the petitioner shall appear and sign before the respondent police daily twice i.e., 10.00 a.m., and 05.00 p.m., except on hearing dates until further orders. On hearing dates, the petitioner shall appear before the concerned trial Court.

[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.13015 of 2025

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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/-
14/08/2025

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

das

TO

- 1 The V Additional District Judge,
Madurai.
- 2 The Superintendent of Prison,
Central Prison, Madurai.
- 3 The Inspector of Police,
Theppakkulam Police Station,
Madurai District.



CRL OP(MD).No.13015 of 2025

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

ORDER
IN
CRL OP(MD) No.13015 of 2025
Date :14/08/2025

AS/14.08.2025/6P/5C

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