



CRL OP(MD).No.13048 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/08/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

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Chellappa,
S/o.Velpandi,

: Petitioner/ A5

Vs

The State of Tamilnadu
rep.by the Inspector of Police,
Pudukkottai Police Station,
Thoothukudi District.
(Crime No.270 of 2019)

.. Respondent/ Complainant

For Petitioner : Mr.Velu Karthikeyan,
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.134 of 2022 on the file of the I Additional District and Sessions Court, Thoothukudi in connection with the case in Crime No.270 of 2019 on the file of the Respondent Police.

ORDER: This Court made the following order :-

The petitioner/A5, who was arrested and remanded to judicial custody on



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23.10.2024 for the offences punishable under Sections 147, 148, 294(b), 302, 506(ii), 149, 114 and 34 of IPC, in Crime No.270 of 2019 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 16.09.2019, due to previous enmity, the petitioner along with other accused abused the defacto complainant's husband, assaulted him with deadly weapon and caused death. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the investigation has already been completed and the charge sheet has also been filed. Due to illness, he could not appear before the trial Court only on 18.10.2024, therefore, NBW has been issued against the petitioner. He further submitted that the petitioner is ready and willing to abide any conditions that may be imposed by this Court. The petitioner is in custody from 23.10.2024. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) submitted that there are totally five accused involved in this case and the petitioner herein arrayed as A5. On 16.09.2019, due to previous enmity, the petitioner along with other accused assaulted the defacto complainant's husband with deadly weapon and caused death. He further submitted that after investigation, charge sheet has been filed and the case was taken



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on file in S.C.No.134 of 2022 on the file of the I Additional District and Sessions Court,

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Thoothukudi. The petitioner is having nine previous cases and are similar in nature. He is history sheeted in H.S.No.235 of 2019. Hence, he opposed to grant bail to the petitioner.

5.In reply, the learned counsel for the petitioner submitted that all the previous cases against the petitioner are old cases. For the past three years, the petitioner has not been involved in any criminal case. It is further submitted that the petitioner has been falsely implicated in the present case merely for statistical purposes, and he has been in judicial custody for more than 292 days. He further submitted that the petitioner undertakes to appear in all hearings before the trial Court without fail.

6.Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the investigation has been completed and the case committed to the Sessions Court and the same is pending in S.C.No.134 of 2022 on the file of the I Additional District and Sessions Court, Thoothukudi, and taking note of the undertaking given by the petitioner and also the fact that NBW was issued on 18.10.2024, and the petitioner was arrested on 23.10.2024 and is in custody for more than 290 days, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on executing a



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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 I Additional District & Sessions Judge, Thoothukudi 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 I Additional District & Sessions Judge, Thoothukudi. If the petitioner changes his residential address, he shall report the same to the learned I Additional District & Sessions Judge, Thoothukudi;

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

[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.

[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



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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/-
11/08/2025

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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 I ADDITIONAL DISTRICT AND SESSIONS JUDGE, THOOTHUKUDI.
- 2 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 3 THE INSPECTOR OF POLICE, PUDUKOTTAI POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS
HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.13048 of 2025
Date :11/08/2025

NBF/SAR- /11/08/2025/ 5P/5C

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