



CRL OP(MD).No.13277 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Reserved on : 11/08/2025

Delivered on : 18/08/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.13277 of 2025

Nanthagopal,
S/o.Balakumar,

: Petitioner/ A4

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
(Crime No.262 of 2022)

.. Respondent/ Complainant

For Petitioner : Mr.M.C.Swamy,
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.23 of 2025 on the file of the learned Additional District

Judge, Sivagangai in connection with the case in Crime No.262 of 2022 on the file of



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the Respondent Police.

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ORDER: This Court made the following order :-

The petitioner /A4, who was arrested and remanded to judicial custody on 04.10.2024 for the offences punishable under Section 302 IPC @ Sections 147, 148, 448, 342 and 302 IPC, in Crime No.262 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 01.11.2022 at about 12.30 am., due to previous enmity, the petitioner along with other accused unlawfully assembled with deadly weapons, trespassed into the house of the deceased, wrongly confined the deceased and caused murder to him. Hence, the case.

3.The learned counsel for the petitioner submitted that there are totally 12 accused involved in this case and the petitioner has been arrayed as A4. Since the petitioner is the friend of the prime accused, he has been wrongly implicated in this case. The petitioner's name does not find place in the FIR and he has no motive with the deceased.



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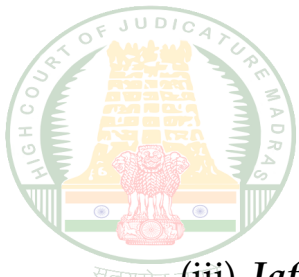
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4.The learned counsel for the petitioner further submitted that the investigation has already been completed and charge sheet has been filed and the case was taken on file in S.C.No.23 of 2025 on the file of the learned Additional District Judge, Sivagangai. He further submitted that the petitioner has earlier filed a petition for bail in Crl.OP(MD)No.3076 of 2024 and the learned Judge of this Court while dismissing the petition, considering the duration of the custody of the petitioner, directed the learned Judicial Magistrate to complete the committal process immediately and thereafter, the trial Court shall expedite the trial process in this case and dispose of the same within a period of six months. But, till date the trial is not yet commenced. Hence, he seeks bail.

5.The learned counsel for the petitioner has also relied on the following decisions of Hon'ble Supreme Court :

(i) *Siddhant alias Sidharth balu Taktode Vs. State of Maharashtra and another* reported in 2024 SCC Online SC 3798.

(ii) *Javed Gulam Nabi Shaikh Vs. State of Maharashtra and another* reported in (2024) 9 SCC 813.



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(iii) *Jaffer Sadiq vs. Assistant Director, Enforcement Directorate* reported in
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2025 SCC Online Mad 2356.

6. The learned Government Advocate (Criminal Side) submitted that on 01.11.2022 at about 12.30 am., due to previous enmity, the petitioner along with other accused unlawfully assembled with deadly weapons, trespassed into the house of the deceased, wrongly confined the deceased and caused murder to him. Investigation has already been completed and charge sheet has also been filed and the case was taken on file in S.C.No.23 of 2025 on the file of the learned Additional District Judge, Sivagangai. He further submitted that the petitioner's earlier applications were dismissed and this is the sixth application. The petitioner is having eight previous cases, out of which, four cases are under Section 302 IPC.

7. The learned Government Advocate (Criminal Side) further submitted that this Court in Crl.OP(MD)No.7476 of 2024, granted interim bail on certain conditions on 10.06.2024 and thereafter, the petitioner was arrested on 04.10.2024.

8. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that this Court has directed the learned Judicial Magistrate to complete the committal process immediately and thereafter, the trial Court shall



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expedite the trial process in this case and dispose of the same within a period of six months, but the trial has not yet been commenced and the petitioner was arrested and is in custody from 04.10.2024, and considering the period of incarceration and taking note of the citations submitted by the learned counsel for the petitioner, this court is inclined to grant bail to the petitioners subject to the following conditions:

9. 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 Additional District Judge, Sivagangai 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 their residential address and contact number to the learned Additional District Judge, Sivagangai. If the petitioner changes his residential address, he shall report the same to the learned Additional District Judge, Sivagangai ;

[d] 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 until further orders. On hearing dates, the petitioner shall appear before the concerned trial Court.



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[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[g] 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].

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

sd/-
18/08/2025

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/08/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DAS

TO

1 The Additional District Judge,
Sivagangai.

<https://www.mhc.tn.gov.in/judis>



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2 The Superintendent,
Central Prison,
Madurai.

3 The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.

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

+1 CC to M/s.P.VARUN PRAKASH, Advocate (SR-8883[I] dated 18/08/2025)

ORDER

IN

CRL OP(MD) No.13277 of 2025

Date :18/08/2025

NM/19.08.2025/ 7P/6C

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