

CRL OP(MD). No.14395 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01.09.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Ilaiyaraja

... Petitioner/ Accused No.3

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Vadipatti Police Station,
Madurai District.
(Crime No.183 of 2006)

... Respondent/Complainant

For Petitioner : Mr.C.Prabaharan

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in S.C.No.347 of 2008, on the file of the V Additional District and Sessions Judge, Madurai.

ORDER : The Court made the following order :-

The petitioner / Accused No.3, who was arrested and remanded to judicial custody on 28.07.2025 for the offences punishable under Sections 395, 397 & 402 of



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IPC in S.C.No.347 of 2006 on the file of the V Additional District and Sessions Judge, Madurai, seeks bail.

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2. The case of the prosecution is that the de facto complainant lodged a complaint with the respondent police. The respondent police registered an FIR in 2006, naming a total of nine accused persons. The petitioner/ Accused No. 3 appeared before the Hon'ble Court on 03.08.2024. The learned District Judge, upon hearing the petitions filed under Section 317 Cr.P.C., dismissed the same and issued non-bailable warrants against all the accused. Against Accused Nos. 6, 8, and 9, warrants have been pending for three years in this Court. The petitioner/ Accused No. 3 approached the Trial Court for bail in Cr.M.P. No. 3496 of 2025 in S.C. No. 347 of 2008 on the file of the V Additional District and Sessions Judge, Madurai, but the said petition was dismissed by the Trial Court on 08.08.202. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court and he is in judicial custody from 28.07.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner failed to appear before the Trial Court, due to which the Trial Court had issue Non-Bailable



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Warrant to the petitioner. He further submitted that the investigation is almost completed. However, he opposed for grant of bail to the petitioner.

5. 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 2006 and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, 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 mobile number to the learned Judicial Magistrate No.II, Madurai.

[c] If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.II, Madurai

[d] the petitioner shall report before the respondent police daily at

10.30 a.m., until further orders except on the Court hearings. Further, the



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petitioner is directed to appear before the learned Judicial Magistrate No.II, Madurai, on all hearing dates.

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

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

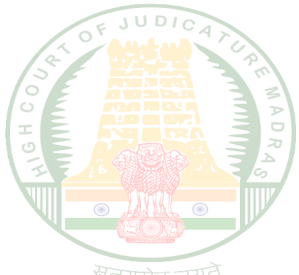
[g] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down 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/-
01/09/2025

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01/09/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO
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- 1 The Judicial Magistrate No.II, Madurai.
 - 2 Do Through the Chief Judicial Magistrate, Madurai.
 - 3 The Superintendent, Central Prison, Madurai.
 - 4 The Inspector of Police, Vadiapatti Police Station, Madurai District.
 - 5 The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.C.PRABHARAN, Advocate (SR-9439[I] dated 01/09/2025)

ORDER
IN

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Date :01/09/2025

NBF/SAR- /01/09/2025/ 5P/7C

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