



CRL OP(MD).No.15230 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.09.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Otchappan

..Petitioner/ Accused

Vs

The State of Tamilnadu
Rep.by the Inspector of Police,
NIB - CID,
Dindigul District.
(Crime No.70 of 2016)

.. Respondent/ Complainant

For Petitioner : Mr.R.Balamuruganantham

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in C.C.No.7 of 2017 on the file of the learned Special Court for
Communal Clash Cases, Madurai, Madurai District.



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ORDER : This Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 01.08.2025 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B) of NDPS Act, in C.C.No.7 of 2017 on the file of the learned Special Court for Communal Clash Cases, Madurai, Madurai District, seeks bail.

2. The learned counsel for the petitioner submitted that after the registration of the case in Crime No.70 of 2016 and the respondent police have completed the investigation and filed a charge sheet in C.C.No.07 of 2017, before the learned Special Court for Communal Clash Caase, Madurai, Madurai District. He further submitted that due to non-appearance of the petitioner, the trial Court has issued NBW against the petitioner on 11.02.2022 and the same was executed on 01.08.2025. He further submitted that the petitioner undertakes that he will not abscond and he will regularly appear before the Trial Court on hearing dates without fail. He further submitted that the petitioner is in judicial custody from 01.08.2025. Hence, he seeks bail.

3. The learned Government Advocate (Criminal Side) submitted that the petitioner failed to appear before the trial Court, due to which the trial Court had issued Nonailable Warrant to the petitioner. He further submitted that the charge



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sheet has also been filed and there is one previous case pending against the petitioner. However, he objected to grant bail to the petitioner.

4. Taking into consideration of the facts and circumstances of the case and also considering the undertaking given by the learned Counsel for the petitioner 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:

5. 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 out of which one must be in the locality of Sathyamangalam, each for a like sum to the satisfaction of the learned Special Court for Communal Clash Cases, Madurai, Madurai District, 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 correct residential address and contact number to the learned Special Court for Communal Clash Cases, Madurai, Madurai District.

[c] the petitioner shall appear before the trial Court on all hearing dates.



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[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 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/-
15/09/2025

/ TRUE COPY /

15/09/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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To

1. The Judge, Special Court for Communal Clash Cases,
Madurai, Madurai District,
2. The Superintendent,
District Prison,
Dindigul, Dindigul District.
3. The Inspector of Police,
NIB - CID,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN

CRL OP(MD) No.15230 of 2025
Date :15/09/2025

AS/15.09.2025/5P/5C

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