



CRL OP(MD). No.17295 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Sethupathy

... Petitioner/ A1

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
S.S.Colony Police Station,
Madurai.
(Crime No.879 of 2022)

... Respondent/Complainant

For Petitioner : Ms.B.Velunatchiyar

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in connection with the case in S.C.No.437 of 2022
on the file of the Vth Additional District Judge, Madurai.



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ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 06.08.2025 for the offences punishable under Sections 449 and 302 of IPC, in Crime No.879 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 16.05.2022, while the defacto complainant searched for the shed watchman, namely, Murugesan, he found that the said Murugesan was laid in the ground in the pool of blood. Thereafter, the defacto complainant came to know that unknown persons have murdered the said Murugesan. Hence a case was registered in Crime No.879 of 2022 and after completing the investigation, the respondent police filed charge sheet before the learned Vth Additional District Judge, Madurai, and the same is pending trial. On one hearing, the petitioner was not appeared before the trial Court. Hence, he was arrested on 06.08.2025 based on NBW. Hence, this petition.



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3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. After the trial Court issued NBW against the petitioner, the petitioner was arrested on 06.08.2025. He further submitted that the petitioner is ready and willing to abide by any condition that may be imposed by this Court. Hence, he seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is jumped out of bail and based on the NBW, the petitioner was arrested again on 06.08.2025. He further submitted that the petitioner has 13 previous cases. However, he opposed for grant of bail.

5. Taking into consideration of the facts and submissions and since it is a jumped out bail and also considering the period of incarceration suffered by the petitioner and inspite of there are 13 previous cases pending against the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:



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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) each with two sureties, each for a like sum to the satisfaction of the learned Vth Additional District Judge, Madurai, and on further conditions that :-

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioner shall report before the trial Court daily at 10.30 a.m., until further orders;

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;

[e] 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



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petitioner is 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];

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

06.11.2025

vsg

To

1. The learned Vth Additional District Judge, Madurai.
2. The Superintendent,
Central Prison, Madurai.
3. The Inspector of Police,
S.S.Colony Police Station,
Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

vsg

ORDER
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