



CRL OP(MD). No.19354 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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V.Arumugam

... Petitioner/ A10

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
B-3 Teppakulam Crime Police Station,
Madurai District.
(Crime No.970 of 2004)

... Respondent/Complainant

For Petitioner : Mr.V.Devakumar

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.970 of 2004 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 15.10.2025 for the offences punishable under Sections 394 of IPC @ 395 IPC r/w Section 397 of IPC, 506(ii) and 120(b) of IPC, in Crime No. 970 of 2004 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 02.08.2004, the petitioner/A10 along with other accused waylaid the auto in which the defacto complainant and his friends were travelling and threatened them to hand over the bag in which the Silver Anklets were kept, when they refused to give, the accused persons attacked them using Aruval and caused grievous injuries for which a case was registered in Crime No.970 of 2004. After completing the investigation, the respondent police filed charge sheet before the learned Judicial Magistrate No.I, Madurai, and the same is pending trial. On one hearing, the petitioner was not appeared before the trial Court. Hence, he was arrested on 15.10.2025 based on NBW. Hence, this petition.



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3. The learned counsel appearing for the petitioner would submit that some of the accused have been acquitted and there is a split up case against the petitioner. According to the petitioner, the petitioner came to know that he was accused when he was arrested. Moreover the petitioner was impleaded based on the confession of the co-accused. Hence, the trial Court issued NBW against the petitioner and arrested him on 15.10.2025. 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 15.10.2025. Totally there are 10 accused in this case. He further submitted that some of the accused got acquitted. 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 the petitioner had no knowledge about the NBW and also considering the period of incarceration suffered by the



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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) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, 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



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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 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.

04.11.2025

PJL

To

1. The Judicial Magistrate No.I,
Madurai.
2. The Superintendent,
Central Prison, Madurai.
3. The Inspector of Police,
B-3 Teppakulam Crime Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

PJL

ORDER
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