



CRL OP(MD). No.23191 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/12/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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David Alagurathinam,

... Petitioner/Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Nazareth Police Station,
Thoothukudi District.
Cr.No.90 of 2023..

... Respondent/Complainant

For Petitioner : Mr.K.K. Samy,
For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- To enlarge the petitioner on bail in S.C.No.35 of 2024 on the file of Learned Sessions Judge, Magalir Neethimandram, Fast Track Mahila Court, Thoothukudi in connection with the crime No.90 of 2023 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 17.10.2025 for the offences punishable under Sections 294(b), 341, 307, 324 and 506(ii) of IPC, @ 294(b), 341, 324, 506(ii) and 302 of IPC in S.C.No.35 of 2024 on the file of Learned Sessions Judge, Magalir Neethimandram, Fast Track Mahila Court, Thoothukudi in connection with the crime No.90 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that after the registration of the case in Crime No.90 of 2023 and the respondent police have completed the investigation and filed a charge sheet in S.C.No.35 of 2024 on the file of Learned Sessions Judge, Magalir Neethimandram, Fast Track Mahila Court, Thoothukudi. He further submitted that due to non-appearance of the petitioner, the trial Court has issued NBW against the petitioner and the same was executed on 06.10.2025. 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.



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He further submitted that the petitioner is in judicial custody from 12.10.2025. Hence, he seeks bail.

3. The learned Additional Public Prosecutor submitted that the petitioner failed to appear before the trial Court, due to which the trial Court had issued Non Bailable Warrant 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, each for a like sum to the satisfaction of the learned Sessions Judge, Magalir Neethimandram(Fast Track Mahila Court) and on further conditions that :-



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[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 appear before the trial Court daily at 10.30 a.m., and 05.30 p.m., until further orders. The petitioner is directed to appear before the trial Court on every hearing dates without fail.

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

[d] the petitioner shall not tamper with evidence or witness 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 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].



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

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(S S Y J)
17.12.2025

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TO

1. The Sessions Court,
Magalir Neethimandram
Fast Track Mahila Court,
Thoothukudi
2. The Superintendent,
Central Jail,
Palayamkottai.
3. The Inspector of Police,
Nazareth Police Station,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY,J

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**ORDER
IN
CRL OP(MD) No.23191 of 2025**

Date : 17/12/2025