



CRL OP(MD). No.22543 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.22543 of 2024

Ravuther Sha

... Petitioner/ Accused No.5

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thiuruppathur Town Police Station,
Sivagangai District.
Crime No. 19/2016.

... Respondent/Complainant

For Petitioner : Mr.R.Balamuruganantham, Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 19 of 2016 on the file of the respondent police.



CRL OP(MD). No.22543 of 2024

ORDER: The Court made the following order :-

WEB COPY

The petitioner/A5, who was arrested and remanded to judicial custody on 05.11.2024 for the offences under Sections 489(B)(C) of IPC in Crime No.19 of 2016 on the file of the respondent police, seeks bail.

2. The petitioner was facing trial along with four other accused persons in S.C.No.163 of 2018 before the Additional District Judge, Sivagangai for the offence under Section 489(B)(C) of IPC. On 06.01.2024, the petitioner was not present before the Court and hence non bailable warrant was issued and the petitioner was secured and produced before the Court on 05.11.2024 and from then on, the petitioner has been remanded to judicial custody. There were originally five accused persons in this case and the petitioner was arrayed as A5.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that all the accused persons were absconding in this case and non bailable warrant was issued against all of them. The non bailable warrant was able to be executed against the petitioner only on 05.11.2024 and only recently, it was executed against A1, who has also been remanded to judicial custody. He further



CRL OP(MD). No.22543 of 2024

WEB COPY

submitted that till date, non bailable warrant is pending against A2 and A3. He also submitted that A4 died during the pendency of the case and hence the petitioner has now been arrayed as A4. Therefore, he vehemently opposed the grant of bail to the petitioner.

4. The learned Counsel appearing for the petitioner submitted that the petitioner is suffering from Spinal Cord injury and he is taking treatment for the past two years. The petitioner was not able to be present before the Court on 06.01.2024 and hence non bailable warrant was issued and the petitioner was secured and he is facing incarceration from 05.11.2024. He further submitted that the petitioner undertakes to appear before the Court below during every date of hearing without fail and requested this Court to impose any condition by enlarging the petitioner on bail.

5. Taking into consideration the facts and circumstances of the case and considering the fact that the sessions case is of the year 2018 and there is no progress in this case since the accused persons have absconded and the petitioner, against whom non bailable warrant was issued on 06.01.2024, was able to be secured only on 05.11.2024 and considering the fact that two other accused persons are yet to be



CRL OP(MD). No.22543 of 2024

WEB COPY

secured by the police and non bailable warrant is pending against them and taking note of the fact that this petitioner has already suffered incarceration from 05.11.2024 and he is facing a medical condition and there are no previous cases pending against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. Accordingly, the criminal original petition is ordered and 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 Additional District Judge, Additional District Court, Sivagangai 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 report before the **learned Additional District Judge, Additional District Court, Sivagangai District, every Monday and Friday at 10.30 a.m until further orders** apart from the dates of hearing without fail.

[c] the petitioner shall appear before the trial Court during every hearing date without fail.



CRL OP(MD). No.22543 of 2024

WEB COPY

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

[e] the petitioner shall not abscond 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 2023.

sd/-
06/01/2025

/ TRUE COPY /

06/01/2025

Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

1 THE ADDITIONAL DISTRICT JUDGE,
ADDITIONAL DISTRICT COURT, SIVAGANGAI DISTRICT.



CRL OP(MD). No.22543 of 2024

WEB COPY

2 THE INSPECTOR OF POLICE,
THIURUPPATHUR TOWN POLICE STATION,
SIVAGANGAI DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, THIRUPPATHUR, SIVAGANGAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.BALAMURUGANANTHAM, Advocate (SR-88[I] dated
06/01/2025)

ORDER
IN

CRL OP(MD) No.22543 of 2024
Date :06/01/2025

SS/SAR- /06/01/2025/ 6P/6C

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