



CRL OP(MD). No.5084 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 11/03/2026

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THE HONOURABLE MR. JUSTICE K.K. RAMAKRISHNAN

CRL OP(MD). No.5084 of 2026

Vinu Kumar

... Petitioner/Accused No.1

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.
Crime No.236/2008.

... Respondent/Complainant

PRAYER :-

To enlarge the petitioner on bail in the event of his arrest pending case in PRC No.20/2018 on the file of the learned Judicial Magistrate No.I, Kuzhithurai and thus render justice.

For Petitioner : Mr.Sonu P,
Advocate.

For Respondent : Mr.M.Karunanithi,
Government Advocate (Crl.Side)

ORDER : The Court made the following order :-

The petitioner/Accused No.1 is facing a case for the offence punishable under Sections 3 & 5 of TNPPDL Act, in PRC No.20/2018 on the file of the learned Judicial Magistrate No.I, Kuzhithurai, in Crime No.236 of 2008, seeks anticipatory bail.



CRL OP(MD), No.5084 of 2026

2.The petitioner was absent during the trial in PRC No.20/2018 on the file of the learned Judicial Magistrate No.I, Kuzhithurai. Therefore, Non-Bailable Warrant came to be issued on 04.12.2019.

3.The learned counsel appearing for the petitioner would submit that since the petitioner went to abroad due to his avocation, he did not aware about the case proceedings. Hence, he could not appear before the learned Judicial Magistrate No.I, Kuzhithurai, and therefore, Non-Bailable Warrant was issued against him on 04.12.2019. He would further submit that the act of the petitioner is neither wilful nor wanton and prays for anticipatory bail to the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) would submit that Non-Bailable Warrant was issued against him on 04.12.2019. Till today, he is absconding. Hence, he strongly opposed to grant anticipatory bail to the petitioner. However, he fairly conceded that trial was conducted in respect of A3, A4 & A5 and the same was ended in acquittal and thereafter, A2 was released on anticipatory bail by this Court in Crl.OP(MD)No.6292 of 2025 on 04.04.2025.



CRL OP(MD), No.5084 of 2026

WEB COPY

5.Considering the submissions made by the learned counsel on either side and also considering the fact that the investigation has been completed and the charge sheet has already filed and the same was taken on file in PRC No.20/2018 on the file of the learned Judicial Magistrate No.I, Kuzhithurai, and the case was ended in acquittal as against the co-accused and A2 was released on anticipatory bail by this Court, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Kuzhithurai, on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:



CRL OP(MD). No.5084 of 2026

(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 Aadhar card or Bank pass Book to ensure their identity;

[b]the petitioner shall make a non refundable deposit of **Rs.5,000/- (Rupees Five Thousand only)** to the credit of the **Secretary Tamil Nadu Police Benevolent Fund in State Bank of India, Triplicane Branch, Chennai, Account No.10232923204 IFSC Code No.SBIN0000249**, without prejudice to his contentions and rights before the trial Court, and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner;

(c)the **petitioner shall appear before the trial Court for all hearings dates without fail;**

(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



CRL OP(MD), No.5084 of 2026

himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

7. Further, the learned Judicial Magistrate No.I, Kuzhithurai, is directed to complete the trial in PRC No.20/2018 and dispose of the case, within a period of three months from the date of receipt of a copy of this order.

11.03.2026

dss

TO

1. The Judicial Magistrate No.I,
Kuzhithurai.
2. The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

5/6



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CRL OP(MD), No.5084 of 2026

K.K. RAMAKRISHNAN,J

dss

ORDER
IN
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Date : 11/03/2026