



CrI.O.P.(MD)No.6317 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 6317 of 2026

Samaiya Durai @ Samayadurai

... Petitioner

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Silaiman Police Station,
Madurai District.
(Crime No.323 of 2021)

...Respondent/Complainant

For Petitioner : Mr.B.Aravinthan
Advocate.

For Respondent : Mr.B.Nambi Selvan
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 323 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on **26.09.2025** for the offences punishable under **Sections 341, 120(B), 449, 342, 324 and 302 of IPC**, in **Crime No.323 of 2021**, on the file of the



Crl.O.P.(MD)No.6317 of 2026

respondent police, in S.C.No.104 of 2022 on the file of the V Additional District Judge, Madurai, seeks bail.

2. The case of the prosecution is that **originally the FIR was registered in the year 2021. After completion of investigation, charge sheet has been filed and the trial was commenced in S.C.No.104 of 2022 on the file of the V Additional District Judge, Madurai. Pending trial the petitioner was absconding. Hence, the learned V Additional District Judge issued Non Bailable Warrant on 08.11.2022. The same was executed and the accused was arrested and remanded into judicial custody on 26.09.2025.**

3. The learned counsel appearing for the petitioner would submit that the petitioner was already arrested and released on bail on 13.09.2021 in the present case. Since the petitioner was in judicial custody in connection with another case, the non appearance was occurred and the NBW was issued. While he was in custody in connection with another case in Crime No.157 of 2025 on the file of the Thiruppachethi Police Station, Sivagangai District, he was produced before the trial Court in the present case and remanded into judicial custody. Therefore, prayed to grant bail for the petitioner.



CrI.O.P.(MD)No.6317 of 2026

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4. The learned Additional Public Prosecutor appearing for the respondent would submit that **the petitioner has some previous cases. He was absconding for more than three years. After completion of investigation charge sheet has been filed and trial commenced in S.C.No.104 of 2022 on the file of the V Additional District Judge, Madurai. Hence, he vehemently opposed the grant of bail.**

5. This Court heard both sides and perused the materials available on record.

6. Considering the rival submissions made by the learned counsel on either side, though the petitioner has some previous cases, considering that already the petitioner was released on bail, thereafter, only due to non appearance of the petitioner, the non bailable warrant was issued and the same was executed and from 26.09.2025 the petitioner is in custody and also considering that the case is posted for trial, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten



CrI.O.P.(MD)No.6317 of 2026

Thousand only) with two sureties each for a like sum to the satisfaction of the **V Additional District Judge, Madurai**, and on further conditions that:

[b] the petitioner shall report before the trial Court daily **at 10.30 a.m., on all working days until further orders.**

[c] the petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/she is suspected;

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

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].



Crl.O.P.(MD)No.6317 of 2026

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

(P D B J)
01.04.2026

TM

To

- 1.The V Additional District Judge, Madurai.
- 2.The Inspector of Police,
Silaiman Police Station,
Madurai District.
(Crime No.323 of 2021)
- 3.The Superintendent, Central Prison, Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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Crl.O.P.(MD)No.6317 of 2026

P. DHANABAL, J.

TM

ORDER
IN
CRL OP(MD) No. 6317 of 2026

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