



CRL OP(MD). No.8067 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 04.06.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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V.P.Pandi @ Attack Pandi

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
CBCID, Madurai City
Madurai
(Crime No.11 of 2015)

...Respondent/Complainant

For Petitioner : Mr.Muthuchharan Sundaresh

For Respondent : Mr.Ajmal Khan
Additional Advocate General
Assisted by Mr. B.Nambi Selvan
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No.11 of 2015 on the file of the respondent police.



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ORDER : The Court made the following order :-

WEB COPY The petitioner / A1, who was arrested and remanded to judicial custody on 21.09.2015 for the offences punishable under Sections 147, 148, 341, 342, 212, 216, 302, 120(B) and 109, of IPC read with Sections 149 & 34 of IPC and Section 3(1) of TNPPDL Act in Crime No.11 of 2015 on the file of CBCID police [earlier crime No. 68 of 2013 on the file of Subramniayapuram Police Station (L&O)], seeks bail

2. The case of the prosecution is that the defacto complainant one Manikandan son of Raju lodged a complaint before Subramaniyapuram Police Station (L&O) on 31.01.2013 at about 20.15 hours stating that he was working as driver under one Suresh Babu @ Pottu Suresh for a period of four years. The complaint alleges that their car was waylaid by a TATA Ace vehicle and a two-wheeler, immediately several unknown persons armed with deadly weapons damaged the car and pulled his owner Suresh Babu from the car and attacked indiscriminately, due to which he succumbed to injuries. Hence the case.

3. The learned counsel for the petitioner would submit that the respondent police have registered a false case as against the petitioner for

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the offences under Sections 147, 148, 341, 342, 212, 216, 302, 120(B) and

109, of IPC read with Sections 149 & 34 of IPC and Section 3(1) of

TNPPDL Act alleging that the defacto complainant one Manikandan lodged

complaint before the C-2 Subramaniyapuram Police Station, Madurai City

that while he was working as driver under one Suresh Babu @ PottuSuresh

on 31.01.2023 at about 4.30 pm., while the defacto complainant was driving

a skoda car bearing Reg.No.TN 59 AQ 6789 along with his owner Suresh

Babu at that time while they were reaching Sathiyasai Nagar road, Murugan

temple junction at about 7.15 hrs they were waylaid by a TATA Ace vehicle

and a two wheeler and several unknown person armed with deadly weapons

damaged the car and they assaulted Suresh Babu with weapons and

succumbed to injuries, thereby a case has been registered and thereafter the

case was transferred to CBCID, Madurai District and re-registered in Crime

No.11 of 2015 and they investigated the case and filed final report. Now the

case is pending trial in SC No.562 of 2018 and the petitioner was arrested

on 21.09.2015 and he is in custody for more than ten years. Infact the

petitioner has not involved in the occurrence and he has been falsely

implicated in this case. The alleged occurrence took place on 31.01.2013

however the petitioner was arrested only on 21.09.2015, except this

petitioner all other accused were granted bail. Though the petitioner was



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earlier convicted Special Leave Petition is pending before the Hon'ble

Supreme Court, wherein bail was granted to the petitioner. Though the prosecution has stated some previous cases in all the cases bail was granted to him, therefore he prayed to grant bail to the petitioner.

4. The learned Additional Advocate General appearing for the respondent police would submit that based on the complaint lodged by the defacto complainant a case has been registered in Crime No. 11 of 2015 for the offences under Sections 147, 148, 341, 342, 212, 216, 302, 120(B) and 109, of IPC read with Sections 149 & 34 of IPC and Section 3(1) of TNPPDL Act and the petitioner herein was arrayed as A1 in this case. Initially the case has been registered by the C-2 Subramaniyapuram Police Station, Madurai City and thereafter it was transferred to the file of CBCID and thereafter they filed charge sheet after completion of investigation. The petitioner along with his henchmen conspired together and committed heinous crime. After the occurrence the petitioner absconded and thereafter NBW was issued against him. The petitioner evaded from arrest and special team have been constituted. Thereafter proceedings under Section 82 of Cr.PC have been initiated by declaring the petitioner as proclaimed offender, thereafter steps have been taken to attach the properties of the



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petitioner. The petitioner deliberately avoided arrest for a period of 2 ½

years and was ultimately arrested on 21.09.2015 and thereafter he was sent

to judicial custody. Now the case is pending in SC No. 562 of 2018 on the

file of the IV Additional District Court, Madurai for trial. Earlier this Court

passed order in Crl.O.P(MD) Nos.16092 and 16990 of 2025 20.01.2026 by

directing trial Court to ensure the presence of the accused and frame

charges and trial should be taken on day to day basis and to complete the

same within a period of six months. Based on the said orders charges were

framed as against the accused person on 09.12.2025 and out of 143

witnesses, 28 witnesses have been examined and the case is posted for

examination of other witnesses. During pendency of this case the petitioner

committed another crime . Even while he was in prison a case has been

registered in Crime No.1017 of 2015 under section 307 of IPC and he is a

History sheet holder having 20 previous cases and already the bail petitions

were dismissed by this Court seven times. There is no change in

circumstances to consider the present petition for bail. The petitioner is a

principal conspirator and his deliberate abscondance, repeated abuse of the

judicial process to protract trial and his serious criminal antecedents and

thereby attacking the witnesses is not entitled to the relief of bail and

therefore prayed to dismiss the bail petition. He also relied on the following



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judgments:

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a) CBI .vs. Mr. Usman reported in 2025 SCOnline SC 2066

b) Sushanta kumar Dhalasamanta .vs. State of Odisha in SLA(CRI)

No.17256 of 2024

c) Ash Mohammad vs. Shiv Raj Singh reported in (2012) 9SCC 446

d) Subhelal @ Sushil Sahu .vs. State of Chattisgarh reported in
(2025) 5SCC 140

e) RamGovind Upadhyay V. Sudarshan Singh reported in (2002)3
SCC 598

f) Manojkumar Khokhar .v. State of Rajasthan reported in (2022) 3
SCC 501.

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

6. In this case the petitioner is arrayed as A1 and during investigation
he was absconded and thereafter Non Bailable Warrant was issued by the
trial Court. After a long period of 2 ½ years Non Bailable Warrant has been
executed while the petitioner was at Mumbai. The petitioner has so many
previous cases including murder case. Though the petitioner is in custody
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for more than 10 years but the petitioner was absconding during the period of investigation and after registration of case he also involved in another case of attempt to murder and now the case is posted for examination of witnesses and the main witnesses have been examined. Though the sessions case is of the year 2018 and for the past two and half years due to abscondance of the accused the case was pending, considering the judgments submitted by the learned Additional Advocate General and the law laid down by the Hon'ble Supreme Court that Personal liberty is the right to act without interference within the limits of the law and the period of custody has to be weighed simultaneously with the totality of the circumstances and the criminal antecedents of the accused, if any. Further, the circumstances which may justify the grant of bail are to be considered in the larger context of the societal concern involved in releasing an accused, in juxtaposition to individual liberty of the accused seeking bail and also taking into consideration the fact this Court has already declined to grant bail to the petitioner on several occasions and there are no change in circumstances to consider the petition for bail, this Court is not inclined to grant bail to the petitioner at this stage.



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7 . In view of the same, the petition stands dismissed.

(P D B J)
04.06.2026

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To

- 1.The Inspector of Police,
CBCID, Madurai City
Madurai
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

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ORDER
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