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CRL OP No. 23004 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-08-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 23004 of 2026

Mahakumar
S/o.Gunasekaran,
No.2/98, North Street,
Therkupoigainallur,
Nagapattinam District-611111.

..Petitioner(s)

Vs

The State Rep by The Inspector of Police
Velankanni Police Station,
Nagapattinam District.
Crime No.524 of 2018.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in Cr.No.524 of 2018 on the file of the learned District-Munsif-cum-Judicial Magistrate, Kilvelur, Nagapattinam District.

For Petitioner(s): Mr. U.Kathiravan

For Respondent(s): Mr.M.M.I.Khaleel,
Govt.Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.04.2026 for the alleged offences under Sections 294(b), 307, 326 of IPC in Crime No.524 of 2018 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner is alleged to have abused the defacto complainant with filthy language and also attempted to murder the defacto complainant. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the main case in PRC.No.16 of 2022 is pending on the file of the learned District Munsif-cum-Judicial Magistrate, Kilvelur. He further submitted that the petitioner was regularly appearing before the trial court for all the hearing dates. But the petitioner was remanded in another case in Cr.No.285 of 2024 by the Inspector of Police, Velankanni Police Station, Velankanni, following the same, a preventive detention order was passed against the petitioner on 30.11.2024, due to which, the petitioner was unable to appear before the trial court on 28.01.2025. Consequently, an order of NBW was issued against the petitioner. On execution of NBW, the petitioner was arrested on 09.04.2026 and still he is in judicial custody. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and



submitted that it is a case of jumped bail. The PRC.No.16 of 2022 is pending on the file of the learned District Munsif-cum-Judicial Magistrate, Kilvelur. For the non-appearance of the petitioner, he was issued NBW on 28.01.2025 and the same was executed on 09.04.2025. Hence, he opposed for the grant of bail to the petitioner.

5. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the facts and circumstances of the case; taking note of the submission made by the learned Government Advocate (Crl.Side) and considering the reasons stated in the petition for the non-appearance of the petitioner before the trial court, this Court is of the view that further custody for the purpose of investigation is not required. Hence, this Court is inclined to grant bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned District Munsif-cum-Judicial Magistrate, Kilvelur**, and on further conditions that:



[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall appear before the trial court on all the hearing dates without fail;

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

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

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The learned District Munsif-cum-Judicial Magistrate, Kilvelur,

2. The Superintendent,
District Prison, Nagapatinam,

3. The Inspector of Police
Velankanni Police Station,
Nagapattinam District.

4. The Public Prosecutor,
High Court, Madras.



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N.RAMESH, J.

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