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Crl.O.P.No.12973 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2024

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THE HON'BLE MRS. JUSTICE **T.V.THAMILSELVI**

Crl.O.P.No.12973 of 2024

Appu alias Sankara Raman

... Petitioner

Vs.

The State represented by,  
The Inspector of Police,  
Arakkonam Town Police Station,  
Ranipet.  
(Crime No.180 of 2015)

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 439 of Cr.P.C.,  
pleaded to enlarge the petitioner on bail in S.C.No.36 of 2017 pending on the  
file of the II Additional District and Sessions Judge, Vellore @ Ranipet.

For Petitioner : Mr.P.Muthamizh Selvakumar

For Respondent : Mr.V.Meganathan  
Government Advocate (Crl.Side)

### **ORDER**

The petitioner, who was arrested and remanded to judicial custody  
on 20.10.2023 through PT warrant, pursuant to the non-bailable warrant of  
arrest issued against him on 21.12.2022, in S.C.No.36 of 2017 pending on the



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file of the II Additional District and Sessions Court, Vellore @ Ranipet, in connection with Crime No.180 of 2015 registered for the offences under Sections 449, 392 r/w 302 of IPC, seeks bail.

2. Learned counsel for the petitioner submitted that this is the second application for bail filed by the petitioner. He further submitted that petitioner is an accused facing trial in S.C.No.36 of 2017, pending on the file of the learned II Additional District and Sessions Court, Ranipet. He further submitted that the petitioner was remanded in some other case, thereby, he was unable to appear before the trial Court on 21.12.2022 and hence, the trial Court has issued a Nonailable Warrant of arrest against him. Pursuant to which, the respondent had arrested the petitioner on 20.10.2023. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and also undertakes that he will appear before the trial Court on all hearing dates without fail, therefore, he prayed for granting bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner/accused, who is facing trial in



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S.C.No.36 of 2017, pending on the file of the II Additional District and Sessions Court, Vellore @ Ranipet, has failed to appear before the trial Court on 21.12.2022, and thereby, pursuant to the Non-Bailable Warrant of arrest issued by the trial Court, he was formally arrested on 20.10.2023. He further submitted that eight previous cases are pending against the petitioner and in respect of this case, out of 24 witnesses, 17 were examined. However, he opposed for granting bail to the petitioner.

4. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and taking note of the undertaking given by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten thousand only)** with **two sureties** (out of which, one surety shall be the blood related surety), each for a like sum to the satisfaction of the learned **II Additional District and Sessions Judge, Vellore @ Ranipet**, and on further conditions that:



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[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 appear before the trial Court on all hearing dates, without fail. Further, apart from the Court hearing dates, the petitioner shall also report before the respondent Police, every Tuesday and Friday at 10.30 a.m., till completion of the trial, failing which, the bail shall be cancelled automatically;**

**[c] the petitioner after coming out on bail shall file an Affidavit of Undertaking to the effect that he will co-operate for speedy disposal of the trial;**

[d] the petitioner shall not abscond during trial;

[e] the petitioner shall not tamper with evidence or witness during 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]*;



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[g] If the accused thereafter abscond, a fresh  
FIR can be registered under Section 229A IPC.

**10.06.2024**

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To

1. The II Additional District and Sessions Court,  
Vellore @ Ranipet.
2. The Inspector of Police,  
Arakkonam Town Police Station,  
Ranipet.
3. The Central Prison,  
Vellore.
4. The Public Prosecutor,  
High Court of Madras.



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**T.V.THAMILSELVI, J.**

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