



Crl.O.P.No.28885 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2024

CORAM

**THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA**

Crl.O.P.No.28885 of 2024

Kali @ Kalidass

... Petitioner

Vs.

The State represented by,  
The Inspector of Police,  
Periyannayakkanpalayam Police Station,  
Coimbatore District.

(Crime No.479 of 2018)

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail in S.C.No.301 of 2024 pending on the file of the Sessions Court for Trial of Bomb Blast Cases, Coimbatore.

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondent : Mr.Leonard Arul Joseph Selvam  
Government Advocate (Crl.Side)

### **ORDER**

Petition seeking bail in respect of S.C.No.301 of 2024 pending on the file of the Sessions Court for Trial of Bomb Blast Cases, Coimbatore, in



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connection with Crime No.479 of 2018 registered for the offences punishable under Sections 302, 148, 341, 120(b), 294(b), 342, 201, 211 and 213 of IPC is on board for consideration.

2. Learned counsel for the petitioner submits that the petitioner is an accused/A7 facing trial in S.C.No.301 of 2024 pending on the file of the Sessions Court for Trial of Bomb Blast Cases, Coimbatore. He further submits that since the petitioner suffered from smallpox, he was unable to appear before the trial Court on 03.11.2023, thereby, the trial Court has issued a Nonailable Warrant of arrest against him and pursuant to the same, he was formally arrested on 13.06.2024. He also submits that the similarly placed co-accused, against whom, 12 previous cases are pending, has been enlarged on bail by this Court in Crl.O.P.No.27117 of 2024 dated 28.10.2024. He further undertakes that the petitioner will appear before the trial Court on all hearing dates without fail and he will co-operate for speedy disposal of the trial. Hence, he prayed for grant of bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent, while objecting for grant of bail, submits that the petitioner/A7,



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who is facing trial in S.C.No.301 of 2024 before the Sessions Court for Trial of Bomb Blast Cases, Coimbatore, has failed to appear before the trial Court on 03.11.2023, thereby, the trial Judge has issued a Non-Bailable Warrant of arrest against him and the same was executed on 13.06.2024. He further submits that the case now stands posted on 02.12.2024 for framing of charges. He also submits that 14 previous cases are pending against the petitioner, therefore if he is enlarged on bail, there is every possibility of him absconding and not available for trial proceedings.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, including the counter filed by the respondent and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties** (out of which, one surety should be a blood related surety), each for a like sum to the satisfaction of the **Sessions Court for Trial of Bomb Blast Cases, Coimbatore**, 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 learned Judge, Sessions Court for Trial of Bomb Blast Cases, Coimbatore, on all working days at 10.30 a.m., until further orders;**

**[c] the petitioner shall not abscond during trial and shall co-operate for speedy disposal of the trial;**

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

[e] 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]*;

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

**27.11.2024**

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To

1. The Sessions Court for Trial of Bomb Blast Cases,  
Coimbatore .
2. The Inspector of Police,  
Periyanayakkanpalayam Police Station,  
Coimbatore District
3. The Superintendent,  
Central Prison, Madurai.
4. The Public Prosecutor,  
High Court of Madras.



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**A.D.JAGADISH CHANDIRA.,J.**

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