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CRL OP NO. 637 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2025

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 637 of 2025

Selvakumar

petitioner

Vs

The State rep. by
Inspector Of Police,
Harithuvarmangalam Police Station,
Thiruvarur District.

The

Respondent(s)

For petitioner(s):

G.Suresh

For Respondent(s):

S.Santhosh

Government Advocate (criminal Side).

ORDER

Apprehending arrest in connection with Crime No.215 of 2023, registered by the respondent police for the offences punishable under Sections 294(b), 332, 506(ii) and 307 of IPC r/w. 25(1A) of Arms Act, on the file of the District Munsif cum Judicial Magistrate, Needamangalam, Thiruvarur District in P.R.C.No.03 of 2024, the present petition has been filed seeking anticipatory bail.

2.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that it is a case of jumped bail for the major offence under Sections 307 IPC r/w 25(1A) of Arms Act. The petitioner has been arrested and released on bail, prior to the filing of the final report. Now the case is progressing in P.R.C.No.03 of 2024 before the District Munsif cum Judicial Magistrate,



Needamangalam and the next hearing date will be on 23.01.2025. The petitioner herein is a history sheetee having 14 previous cases.



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3.The learned counsel for the petitioner would submit that the petitioner apprehends arrest for the NBW issued on 10.10.2024 in PRC.No.03 of 2024 on the file of the District Munsif cum Judicial Magistrate, Needamangalam, seeks anticipatory bail. He would further submit that the petitioner was arrested in Crime No.215 of 2023 and he was granted bail, subsequently, the condition was also relaxed. The respondent after investigation filed the final report and the case was taken up in PRC.No.03 of 2024 on the file of the District Munsif cum Judicial Magistrate, Needamangalam, Thiruvarur District and without any summons being issued to him, the learned District Munsif cum Judicial Magistrate, Needamangalam, Thiruvarur District had issued the NBW. He would further submit that he is ready to abide by any stringent condition that may be imposed by this Court.

4.The learned Government Advocate would submit that the petitioner was initially arrested in Crime No.215 of 2023 for the offences under Sections 294(b), 332, 506(ii) and 307 of IPC r/w. 25(1A) of Arms Act. He was granted bail and thereafter, since he did not appear before the Committal Court, the Committal Court has issued Non-Bailable Warrant of arrest on 29.11.2024 and he would submit that the matter is pending.

5.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, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate, Needamangalam, Thiruvarur District, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intend to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the learned District Munsif cum Judicial Magistrate, Needamangalam, Thiruvarur District on all working days at 10.30 a.m., for a period of two weeks and thereafter on the date fixed by the learned District Munsif cum Judicial Magistrate, Needamangalam, Thiruvarur District;

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

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

20-01-2025

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To

- 1.The District Munsif cum Judicial Magistrate,
Needamangalam, Thiruvarur District.
- 2.The Inspector Of Police,
Harithuvarmangalam Police Station,
Thiruvarur District.
- 3.The Public Prosecutor, High Court, Madras.



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A.D.JAGADISH CHANDIR



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CRL OP NO.637 of 2025

20.01.2025