



Crl.O.P.No.1431 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2025

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

Crl.O.P.No.1431 of 2025

Mayakannan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Santhavasal Police Station,
Tiruvannamalai District.
(Crime No.254 of 2016)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail
Crime No. 254 of 2016 on the file of the respondent.

For Petitioner : Ms.Nishanthi

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

ORDER

Petition seeking bail in respect of S.C.No.53 of 2019 pending on
the file of the learned Principal District and Sessions Judge, Tiruvannamalai
District, in connection with Crime No.254 of 2016 registered for the offences



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punishable under Sections 341, 294(b), 324, 307, 506(2) of IPC @ Section 302 of IPC, is on board for consideration.

2. Learned counsel for the petitioner submits that the petitioner is an accused facing trial in S.C.No.53 of 2019 pending on the file of the learned Principal District and Sessions Judge, Tiruvannamalai District. She further submits that since the petitioner failed to appear before the trial court due to his illness, a non-bailable warrant was issued against him on 29.11.2023 and pursuant to the same, he was arrested on 03.01.2025. She also submits that the petitioner undertakes that he will appear before the trial Court on all hearing dates without fail and he will co-operate for speedy disposal of the trial. Hence, she 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, who is facing trial in S.C.No.53 of 2019 before the learned Principal District and Sessions Judge, Tiruvannamalai District, has failed to appear before the trial Court, thereby, the trial Judge has issued a Non-Bailable Warrant of arrest against him on 29.11.2023 and the same was executed on 03.01.2025. He further submits that there are 19 witnesses in this case.



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4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and 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 of the sureties should be the blood related surety of the petitioner), each for a like sum to the satisfaction of the learned **Judicial Magistrate, Polur**, and on further conditions that :

[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 Principal District and Sessions Judge, Tiruvannamalai District, on all working days at 10.30a.m., until further orders;

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



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[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.

22.01.2025

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To

1. The Principal District and Sessions Judge,
Tiruvannamalai District.
2. The Judicial Magistrate, Polur.
3. The Inspector of Police,
Santhavasal Police Station,
Tiruvannamalai District.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.

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