



Crl.O.P.No.6588 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.6588 of 2025

Kumar @ Meensurity Kumar

...Petitioner/Accused 4

Vs.

State rep by
The Inspector of Police,
Udumalpet Police Station,
Tiruppur District.

(Crime No.576 of 2014)

...

Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in S.C.No.238 of 2024 on the file of the Subordinate Court, Udumalpet.

For Petitioner : Mr.G.Nirmal Krishnan

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



Crl.O.P.No.6588 of 2025

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ORDER

The petitioner, who is facing trial for the offence under Section 395 r/w 397 of IPC in in S.C.No.238 of 2024 on the file of the Subordinate Court, Udumalpet, did not appear before the Trial Court on 27.09.2023 and hence, NBW was issued which was subsequently executed on 14.09.2024 and remanded to judicial custody, seeks bail.

2.The learned counsel for the petitioner would submit that for his non-appearance, the petitioner has suffered incarceration from 14.09.2024 and in any case, considering the period of incarceration, further custody of the petitioner is not required and sought for bail.

3.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that there are six previous cases pending against the petitioner and he is on bail in those cases and that charges have been framed against the petitioner.



Crl.O.P.No.6588 of 2025

WEB COPY

4.Considering the aforesaid facts, the fact that he is incarcerated from 14.09.2024, the petitioner was earlier granted bail, this Court is of the view that further custody of the petitioner is not required. Hence, 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.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **Subordinate Court, Udumalpet**, 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 report before Trial Court everyday at 10.30 a.m., until further orders;

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

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



Crl.O.P.No.6588 of 2025

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[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 B.N.S.

02.04.2025

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Crl.O.P.No.6588 of 2025

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Copy to:

- 1.The Inspector of Police,
Udumalpet Police Station,
Tiruppur District.
- 2.The Subordinate Court, Udumalpet.
- 3.District Jail, Pudukottai.
- 4.The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.6588 of 2025

SUNDER MOHAN, J.

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Crl.O.P.No.6588 of 2025

02.04.2025