



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Cr1.O.P.No.7238 of 2025

V.Sureshkumar

... Petitioner/A2

Vs.

The State Rep. by Sub Inspector of Police
Avinashi Police Station
Tirupur
(Crime No.324 of 2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in SC.No.63/2023 in Crime No.324 of 2022 before the learned Chief Judicial Magistrate at Tiruppur.

For Petitioner : Mr.J.Joel Nitheesh

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Cr1.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner/A2, who was remanded to judicial custody on 10.01.2025, seeking bail in Crime No.324 of 2022 registered for the offence under Sections 294(b), 332, 307, 353, 34 of IPC.

2.The case of the prosecution is that the petitioner, who is an accused facing trial in SC.No.63/2023 on the file of the learned Chief Judicial Magistrate at Tiruppur. did not appear before the said Court for the hearing on 08.01.2025, owing to which, a non bailable warrant was issued against him on the same day and he was surrendered and remanded to judicial custody on 10.01.2025. The case is now



posted for cross examination of PW1 to PW6.

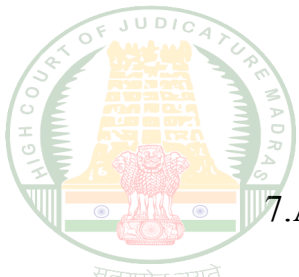
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3.Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person. He also submitted that the petitioner is in custody from 10.01.2025. He further submitted that upon knowing the issuance of non bailable warrant, the petitioner himself surrendered before the trial Court and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4.Learned Government Advocate (Cr1.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the case of the prosecution. The learned Government Advocate further submitted that since the case is pending for examination of witnesses, if the petitioner is released on bail, there is every possibility of him absconding again and not available for trial. The learned Government Advocate further submitted that there are three previous cases against the petitioner.

5.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Cr1. Side) for the respondent Police and perused the materials available on record.

6.Considering the aforesaid facts, nature of allegations, period of incarceration undergone by the petitioner, the fact that the petitioner was released on bail in all the previous cases and since further custody of the petitioner is not required, this Court is inclined to grant bail to the petitioner with certain conditions.



7. 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 learned Chief Judicial Magistrate, Tiruppur, 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 the learned Chief Judicial Magistrate, Tiruppur. on all working days at 10.30 a.m., until further orders;

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

[e] the petitioner shall not tamper with evidence or witness 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.

13.03.2025

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CrI.O.P.No.7238 of

SUNDER MOHAN, J.

sai

To

1.The Chief Judicial Magistrate, Tiruppur

2.The Inspector of Police
Avinashi Police Station
Tirupur

3.The Superintendent,
Central Prison, Coimbatore.

4.The Public Prosecutor,
High Court of Madras.

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