



WEB COPY



Crl.O.P.No.7231 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.7231 of 2025

Parthiban

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
Chithode Police Station,
Erode District.

(Crime No.334 of 2014)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in S.C.No.16 of 2021 on the file of the Magalir Neethi Mandram (Fast Track Mahila Court), Erode.

For Petitioner : Mr.R.Radha Pandian

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



Crl.O.P.No.7231 of 2025

WEB COPY

ORDER

The petitioner, who is facing trial for the offence under Section 304(ii) of IPC in S.C.No.16 of 2021 on the file of the Magalir Neethi Mandram (Fast Track Mahila Court), Erode, did not appear before the Trial Court on 26.10.2021 and a Non-Bailable Warrant has been issued and thereafter, the same was executed on 24.07.2024 and remanded to judicial custody and hence, seeks bail.

2.The learned counsel for the petitioner would submit that for the absence of the petitioner, he has been incarcerated for nearly six months and that in any case, considering the period of incarceration, he may be granted bail.

3.Per contra, the learned Government Advocate (Crl. Side) confirmed the above facts and also submitted that there are three other previous cases registered under Section 341 of IPC and under the Lotteries Act.



Crl.O.P.No.7231 of 2025

WEB COPY

4.Considering the fact that the petitioner is in custody from 24.07.2024 and the trial is yet to commence, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. 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 **Magalir Neethi Mandram (Fast Track Mahila Court), Erode**, 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;



Crl.O.P.No.7231 of 2025

WEB COPY

[d] 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 B.N.S.

13.03.2025

ata



Crl.O.P.No.7231 of 2025

WEB COPY Copy to:

- 1.The Inspector of Police,
Chithode Police Station,
Erode District.
- 2.The Magalir Neethi Mandram (Fast Track Mahila Court), Erode.
- 3.District Prison, Gobichettipalayam.
- 4.The Public Prosecutor,
High Court, Madras.



WEB COPY



CrI.O.P.No.7231 of 2025

SUNDER MOHAN, J.

ata

CrI.O.P.No.7231 of 2025

13.03.2025