



Crl.O.P.No.12998 of 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.12998 of 2025

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... Petitioner/Accused 6

Vs.

The State Rep. by
The Inspector of Police,
Tindivanam Police Station,
Villupuram District.

(Crime No.296 of 2011)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with P.R.C.No.21 of 2025 on the file of the learned Judicial Magistrate No.1, Tindivanam.

For Petitioner : Mr.B.Gopalakrishnan

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



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ORDER

The petitioner, who is facing trial for the offence under Sections 120(b), 392, 363 and 395 r/w 397, 414 r/w 34 of IPC in P.R.C.No.21 of 2020 on the file of the learned Judicial Magistrate No.1, Tindivanam, did not appear before the committal Magistrate on 20.01.2021 and hence, NBW was issued which was subsequently executed on 01.02.2025 and remanded to judicial custody, seeks bail.

2.The learned counsel for the petitioner would submit that the petitioner is in custody for nearly 50 days and considering the period of incarceration, he may be released on bail.

3.Per contra, the learned Government Advocate (Crl. Side) submitted that the case is pending for nearly four years because of the absence of the petitioner; that the case has now been split up against the co-accused and the trial was conducted; and that there are two previous cases pending against the petitioner and he is on bail in those cases.



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5.Considering the aforesaid facts, the period of incarceration, the fact that the petitioner is on bail in the previous cases and since 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:

6.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 **Judicial Magistrate No.1, Tindivanam**, 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 petitioners shall report before the Trial Court everyday at 10.30 a.m., until further orders.

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



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[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

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1.The Inspector of Police,
Tindivanam Police Station,
Villupuram District.

2.The Judicial Magistrate No.1, Tindivanam.

3.District Jail, Villupuram.

4.The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN, J.



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