



Crl.O.P.No.12349 of 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.12349 of 2025

Prabu

... Petitioner/Accused

Vs.

The State Rep. by
The Inspector of Police,
Arni Taluk Police Station.

(Crime No.755 of 2009)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with S.C.No.16 of 2017 on the file of the Additional District Court (FTC), Arni, Tiruvannamalai District.

For Petitioner : Mr.Jerry V.V Sunder

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



Crl.O.P.No.12349 of 2025

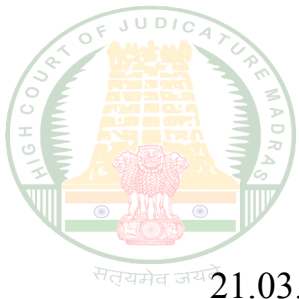
ORDER

WEB COPY

The petitioner, who is facing trial for the offence under Sections 147, 148, 323, 324 and 307 of IPC r/w 3 of PPD Act in S.C.No.16 of 2017 on the file of the Additional District Court (FTC), Arni, Tiruvannamalai District, did not appear before the Trial Court and a Non-Bailable Warrant has been issued on 21.03.2022 and thereafter, the petitioner surrendered on 25.03.2025 and remanded to judicial custody and hence, seeks bail.

2.The learned counsel for the petitioner would submit that the petitioner is innocent and he has nothing to do with the alleged offence; that the petitioner has no bad antecedents; that the petitioner had voluntarily surrendered before the Trial Court on 25.03.2025; and that in any case, considering the period of incarceration, the petitioner may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that due to the non appearance of the petitioner before the Trial Court, NBW was issued on



Crl.O.P.No.12349 of 2025

WEB COPY

21.03.2022 and he surrendered on 25.03.2025 and that the petitioner has no bad antecedents.

5.Considering the aforesaid facts, the period of incarceration 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 **Additional District Court (FTC), Arni, Tiruvannamalai District**, 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.



WEB COPY

trial;

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

[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.

23.04.2025

ata



Crl.O.P.No.12349 of 2025

WEB COPY Copy to:

- 1.The Inspector of Police,
Arni Taluk Police Station.
- 2.The Additional District Court (FTC), Arni, Tiruvannamalai District.
- 3.The Superintendent of Prison, Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.No.12349 of 2025

SUNDER MOHAN, J.

ata

Crl.O.P.No.12349 of 2025

23.04.2025