



Crl.O.P.No.12771 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.12771 of 2025

P.Murali

... Petitioner/A2

Vs.

State Rep by,
The Inspector of Police,
Vaniyambadi Town Police Station,
Tirupattur District.
(Crime No.93 of 2019)

... Respondent

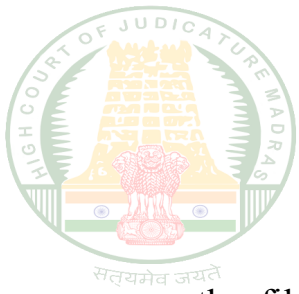
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in S.C.No.65 of
2024 on the file of the District and Sessions Court, Tirupattur.

For Petitioner : Mr.G.P.Sivakumar

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)

ORDER

The petitioner/A2, who was arrested and remanded to judicial custody
on 24.02.2025 pursuant to the non-bailable warrant issued in S.C.No.65 of 2024



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on the file of the District and Sessions Court, Tirupattur, in connection with Crime No.93 of 2019 registered for the offences punishable under Sections 302 r/w 34 of IPC, seeks bail.

2. It is the case of jumped bail. Since the petitioner failed to appear before the trial Court in S.C.No.65 of 2014, a non-bailable warrant of arrest was issued against him on 28.04.2022 and pursuant to the same, he was arrested and remanded to judicial custody on 24.02.2025.

3. The learned counsel for the petitioner submitted that the petitioner has been facing trial in S.C.No.65 of 2014 for offences under Sections 302 r/w 34 of I.P.C. The petitioner has been regularly appearing before the trial Court, i.e., Mahila Court, Vellore. Thereafter on bifurcation of Vellore District, Tirupathur Sessions Court formed and the case was transferred to the file of learned Principal District and Sessions Judge, Tirupattur. Since the petitioner was sick he could not appear before the Court. Thereafter the case was transferred and the petitioner was not sure about which Court to appear. Thereafter the petitioner surrendered on 17.06.2025 before the Principal District Judge, Tirupathur. He further submitted that A1 in this case died. The petitioner is the only accused facing trial. Hence, he prayed for grant of bail to the petitioner.



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4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting bail to the petitioner stating that the case is proceeded against A1 and A2. A1 died and the petitioner is the only accused now facing trial. The case is now transferred from Mahila Court, Vellore to Principal District and Sessions Judge, Tirupattur. The petitioner voluntarily surrendered before the Principal District Judge, Tirupattur.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, the submission made by the learned counsel appearing on either side and the period of incarceration suffered by the petitioner, 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.5,000/- (Rupees Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **District and Sessions Judge, Tirupattur** and on further conditions that:



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[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall appear before the trial Court on all hearing dates without fail;

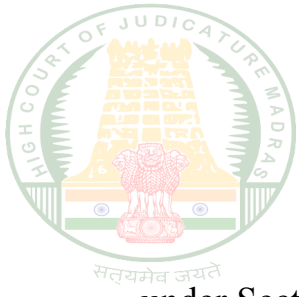
[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered



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under Section 269 of B.N.S.

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The District and Sessions Judge
Tirupattur.
- 2.The Inspector of Police,
Vaniyambadi Town Police Station,
Tirupattur District.
- 3.The Superintendent,
Central Jail, Vellore.
- 4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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