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CrI.O.P.No.14005 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

CrI.O.P.No.14005 of 2025

Naveen Kumar

... Petitioner/A1

Vs.

The State represented by,
The Inspector of Police,
Gudiyatham Taluk Police Station,
Vellore District.
(Crime No.371 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
2023 to enlarge the petitioner on bail in S.C.No.17 of 2025 on the file of
learned Principal Sessions Judge, Vellore in Crime No.371 of 2023 on the file
of the respondent police.

For Petitioner : Mr.V.Johnson Yuvaraj

For Respondent : Mr.V.J.Priyadarsana
Government Advocate (CrI.Side)



Crl.O.P.No.14005 of 2025

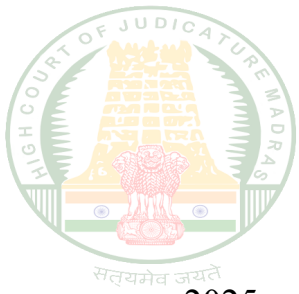
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ORDER

The petitioner seeks bail in S.C.No.17 of 2025 in Crime No.371 of 2023 pending on the file of the learned Principal Session Judge, Vellore for the offence punishable under Sections 294(b) and 302 of IPC [Section 296 and 103 of BNS].

2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in S.C.No.17 of 2025 on the file of Principal Session Judge, Vellore. He further submitted that since the petitioner was arrested in other case, he was unable to appear before the trial Court, and he was issued with the non-bailable warrant on 13.12.2024 and pursuant to the same, he was arrested on 24.02.2025. He also submitted that the petitioner will undertake that hereafter he will regularly appear before the trial court on all hearing dates and also stated that he is prepared to comply with any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that since the petitioner, facing trial in S.C.No.17 of



Crl.O.P.No.14005 of 2025

WEB COPY

2025 on the file of Principal Session Judge, Vellore, has failed to appear before the trial Court, the trial Court has issued a NBW against the petitioner on 13.12.2024, and has not chosen to surrender and recall the warrant and he was arrested and remanded to judicial custody on 24.02.2025. Hence, he oppose for grant of bail to the petitioner.

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

5. Considering the period of incarceration and also considering the undertaking given by the petitioner that he is ready to co-operate for speedy disposal of the trial, 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.10,000/- (Rupees Ten Thousand only)** with two sureties, each for a like sum to the satisfaction of the **Principal Sessions District Judge, Vellore** and on further conditions that :-



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Crl.O.P.No.14005 of 2025

[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 concerned Judicial Magistrate on every Monday to Friday at 10.30.a.m., and before the respondent police on every Saturday and Sunday at 10.30.a.m., until further orders;

[c] the petitioner shall report before the Trial Court, on all hearing dates without filing the petition under Section 317 of Cr.P.C., if any such application is filed, the trial Court shall dismiss the said application in the presence of the learned counsel appearing for the petitioner;

[d] 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;



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CrI.O.P.No.14005 of 2025

[f] 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]*;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

21.05.2025

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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 official website of this Court will be watermarked and will also have a QR code.**



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Crl.O.P.No.14005 of 2025

N.SENTHILKUMAR, J.

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To

- 1.Principal Sessions District Judge, Vellore.
2. The Inspector of Police,
Gudiyatham Taluk Police Station,
Vellore District.
- 3.The Superintendent,
District Prison, Vellore.
- 4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.14005 of 2025

21.05.2025