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Crl.O.P.No.14362 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2025

CORAM

THE HON'BLE MRS. JUSTICE L.VICTORIA GOWRI

Crl.O.P.No.14362 of 2025

Murugesan

... Petitioner/A3

Vs.

The State represented by,
The Inspector of Police,
Elachipalayam Police Station,
Tiruchengode, Namakkal District
(Crime No. 134 of 2014).

... 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.51 of 2017 on the file of the learned II Additional Sessions Judge, Tiruchengode in Crime No.134 of 2014 on the file of the respondent police.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Ms.J.R.Archana
Government Advocate (Crl.Side)



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ORDER

The petitioner seeks bail in S.C.No.51 of 2017 in Crime No.134 of 2014 pending on the file of the learned II Additional Sessions Judge, Tiruchengode, for the offence punishable under Sections 120(b), 324, 307, 302 r/w Sections 34 and 109 IPC. The petitioner has been remanded to judicial custody on 27.03.2025 on execution of NBW issued against him on 03.11.2024.

2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in S.C.No.51 of 2017 on the file of the learned II Additional Sessions Judge, Tiruchengode. He further submitted that since the petitioner was unable to appear before the trial Court, he was issued with the non-bailable warrant on 03.11.2024 and pursuant to the same, he surrendered before the II Additional Sessions Judge, Tiruchengode on 27.03.2025. 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.



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3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that since the petitioner, facing trial in S.C.No.51 of 2017 on the file of the learned II Additional Sessions Judge, Tiruchengode, has failed to appear before the trial Court, the trial Court has issued a NBW against the petitioner on 03.11.2024. He submitted that the petitioner was arrested and remanded to the judicial custody on 27.03.2025. Hence, he opposed for grant of bail to the petitioner.

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

5. Considering the fact that bail was already granted to the petitioner and due to his non-appearance NBW was issued and thereafter, the same has been executed, and considering the period of incarceration undergone by the petitioner, 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:



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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 learned II Additional Sessions Judge, Tiruchengode and on further conditions that :-

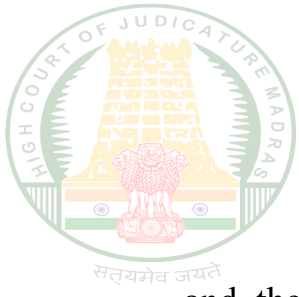
[a] the petitioner shall report before the Trial Court, daily at 10.30 a.m., for a period of one month and thereafter, on all the hearing dates, without fail.

[b] the Petitioner shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[c] the Petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[d] the Petitioner shall not abscond either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the Petitioner in accordance with law as if the conditions have been imposed



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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]; and

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

08.05.2025

Anu

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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L.VICTORIA GOWRI,J.

Anu

To

1.The II Additional Sessions Judge, Tiruchengode

2.The Inspector of Police,
Elachipalayam Police Station,
Tiruchengode, Namakkal District

3.The Superintendent,
Central Prison, Salem.

4.The Public Prosecutor,
High Court of Madras.

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