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Crl.O.P.No.14568 of 2024

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.14568 of 2024

M.Vairamani

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
V-1, Villivakkam Police Station,
Chennai.
(Crime No.945 of 2020).

... 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.264 of 2025 on the file of
learned Principal District and Sessions Judge, Chennai in Crime No.945 of
2020 on the file of the respondent police.

For Petitioner : Mr.C.R.Gokulvisvas

For Respondent : M/s.J.R.Archanan
Government Advocate (Crl.Side)



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ORDER

The petitioner seeks bail in S.C.No.264 of 2025 in P.R.C.No.115 of 2021 in Crime No.945 of 2020 pending on the file of the learned Principal District and Sessions Judge, Chennai, for the offence punishable under Sections 147, 148, 302 of IPC @ 147, 148, 294(b), 324, 302 of IPC read with Section 149 of IPC. The petitioner has been remanded to judicial custody on 19.12.2024 on execution of NBW issued against him on 18.11.2024.

2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in S.C.No.264 of 2025 in P.R.C.No.115 of 2021 on the file of Principal District and Sessions Judge, Chennai. 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 18.11.2024 and pursuant to the same, he was arrested on 19.12.2024. 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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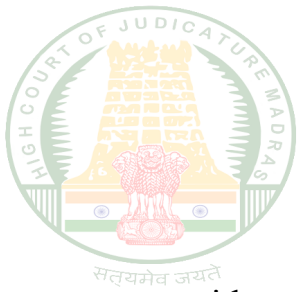
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3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that since the petitioner, facing trial in S.C.No.264 of 2025 in P.R.C.No.115 of 2021 on the file of Principal District and Sessions Judge, Chennai, has failed to appear before the trial Court, the trial Court has issued a NBW against the petitioner on 18.11.2024, and has not chosen to surrender and recall the warrant and he was arrested and remanded to judicial custody on 19.12.2024. Hence, he oppose for grant of bail to the petitioner.

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

6. 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:

7. 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)**



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with two sureties, each for a like sum to the satisfaction of the **Principal**

District and Sessions Judge, Chennai and on further conditions that :-

[a] the petitioner shall report before the Trial Court, on all working days at 10.30 a.m., until further orders, 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 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



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

08.05.2025

Sma/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.**

To

- 1.Principal District and Sessions Judge, Chennai.
2. The Inspector of Police,
V-1, Villivakkam Police Station,
Chennai.
- 3.The Superintendent,
Central Prison, Palayamkottai
- 4.The Public Prosecutor,
High Court of Madras.



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L.VICTORIA GOWRI, J.

Sma/Anu

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