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CRL OP No. 15022 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15022 of 2025

1. Bala@balakrishnan
S/o.Prakash, No.20, Ramamoorthy
Street, Mullipalayam, Vellore District,
Tamil Nadu

Petitioner(s)

Vs

1. State rep. by the Inspector of Police
Sathuvacheri Police Station. Vellore
District. Tamil Nadu.
Crime No.111/2021

Respondent(s)

PRAYER

This Criminal Original Petition is filed to enlarge the petitioner on bail, pending Trial in C.C.No.443/2021 on the file of the JM V at Vellore.

For Petitioner(s): Mr.G.Nirmal Krishnan

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



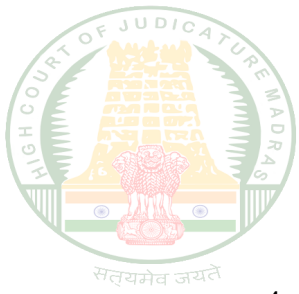
ORDER

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Petition seeking bail in connection with Crime No.111 of 2021 registered for the alleged offences punishable under Sections 392 of IPC is on board for consideration.

2. The case of the prosecution is that on 07.04.2021 at about 05.30 pm at CMC colony near Thirumana Mahal, the petitioner along with others robbed a cell phone from the defacto complainant worth about Rs.15,000/-. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the case in C.C.No.443 of 2021 is pending before the Judicial Magistrate V, Vellore and on 17.04.2024, petitioner could not able to appear before the Court, due to his illness and therefore, NBW was issued against him. Petitioner was arrested on 18.03.2025. Learned counsel further submits that now the petitioner is ready to furnish sufficient sureties to ensure his regular attendance and abide by any conditions that may be imposed by this Court and prays for grant of bail.



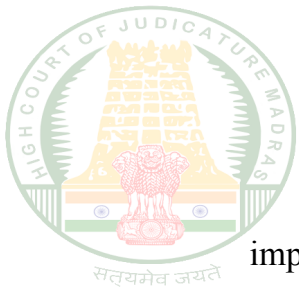
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4. The learned Government Advocate (Criminal Side), appearing for the respondent police submitted that the case in C.C.NO. 443 of 2021 is pending before the Judicial Magistrate V, Vellore and if the petitioner is enlarged on bail he may abscond from the clutches of law and hence, he strongly opposed to grant bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, considering the nature of allegation against the petitioner, the submissions made by the learned counsels on either side and taking note of the fact that the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail with the following stringent conditions:

(1) The petitioner shall execute a bond for **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each for a like sum to the satisfaction of the **learned Judicial Magistrate V, Vellore;**

(2) **The petitioner shall appear before the Trial Court on all hearing dates without fail;**



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(3) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Metropolitan Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(4) The petitioner shall make himself available for interrogation by a Police Officer as and when required;

(5) The petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses;

(6) 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;

(7) On breach of any of the aforementioned conditions, the learned Metropolitan Magistrate is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].



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(8) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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
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1.State rep. by the Inspector of Police
Sathuvacheri Police Station. Vellore
District. Tamil Nadu. Crime
No.111/2021.

2. The J.M.V at Vellore.
3. The Superintendent,
Central Jail, Vellore.
4. The Public Prosecutor,
Madras High Court, Chennai.



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M.NIRMAL KUMAR J.

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