



WEB COPY



Crl.O.P.No.15120 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15120 of 2025

J.Shantu @ Santhosh Kumar @ Santha Kumar

... Petitioner/A5

Vs.

The State Rep by,
The Inspector of Police,
V-4 Rajamangalam Police Station,
Chennai District.
(Crime No.585 of 2019)

... Respondent

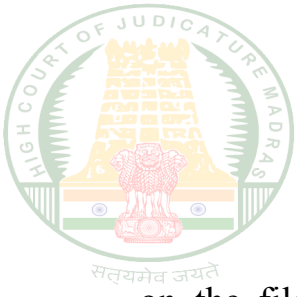
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in S.C.No.44 of 2024 pending on the file of learned X Additional Judge, City Civil Court, Chennai.

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner/A5, who was arrested and remanded to judicial custody on 26.04.2025 pursuant to the non-bailable warrant issued in S.C.No.44 of 2024



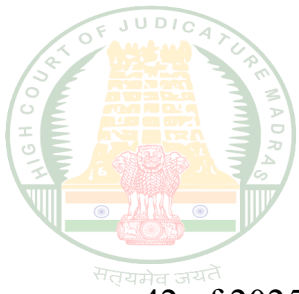
CrI.O.P.No.15120 of 2025

on the file of the learned X Additional Judge, City Civil Court, Chennai, in connection with Crime No.585 of 2019 registered for the offence punishable under Section 302 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.44 of 2024, a non-bailable warrant of arrest was issued against him on 28.02.2025 and pursuant to the same, he was arrested and remanded to judicial custody on 26.04.2025.

3.The contention of the learned counsel for petitioner is that the petitioner was arrested in Crime No.12 of 2025 by the Pulianthope Police on 09.01.2025. Subsequently, he was arrested in Crime No.42 of 2025 by the Pulianthope Police on 25.01.2025. The petitioner was granted bail in Crime No.12 of 2025 and Crime No.42 of 2025 on 03.04.2025. Since the petitioner was arrested and he was in prison in these two cases, he could not appear for the trial in S.C.No.44 of 2024. Hence, he prayed for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police confirms that the petitioner was arrested in Crime Nos.12 and



Crl.O.P.No.15120 of 2025

42 of 2025 by Pulianthope Police on 09.01.2025 and 25.01.2025, respectively and

he was in prison when NBW was issued in the present case.

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 **X Additional Judge, City Civil Court, Chennai** and on further conditions that:

[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;



CrI.O.P.No.15120 of 2025

WEB COPY

[b] the petitioner shall appear before the trial Court on every Tuesday at 10.30 a.m. and on all future hearing dates without fail except when he required to appear before the trial Court for hearing in connection with other cases;

[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]**;



CrI.O.P.No.15120 of 2025

WEB COPY

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

24.06.2025

rsi

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 X Additional Judge,
City Civil Court, Chennai.
- 2.The Inspector of Police,
V-4 Rajamangalam Police Station,
Chennai District.
- 3.The Superintendent,
Central Prison, Puzhal,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.15120 of 2025

M.NIRMAL KUMAR, J.

rsi

Crl.O.P.No.15120 of 2025

24.06.2025