



Crl.O.P.No.16086 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.05.2025

CORAM

THE HON'BLE MRS. JUSTICE **K. GOVINDARAJAN THILAKAVADI**

Crl.O.P.No.16086 of 2025

D.Jayakumar

... Petitioner/A1

Vs.

The State represented by,  
The Inspector of Police,  
T-13, Kundrathur Police Station,  
Kanchipuram.  
(Crime No.647 of 2016).

... 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.74 of 2016 on the file of  
learned Principal District and Sessions Judge at Kanchipuram in Crime  
No.647 of 2016 on the file of the respondent police.

For Petitioner : Mr.C.Srinivasan

For Respondent : Mr.L.Baskaran  
Government Advocate (Crl.Side)



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## **ORDER**

The petitioner seeks bail in S.C.No.74 of 2016 in Crime No.647 of 2016 pending on the file of the learned Principal District and Sessions Judge, Kanchipuram for the offence punishable under Sections 324, 302, 380 of IPC altered into Sections 120(B) read with Sections 449, 302, 307, 404, 380 & 414 of IPC read with Section 109 of IPC.

2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in S.C.No.74 of 2016 on the file of the Principal District and Sessions Judge, Kanchipuram. 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 and pursuant to the same, he was arrested on 29.08.2022. 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. 74 of 2016 on the file of the Principal District and Sessions Judge, Kanchipuram, has failed to appear before the trial Court, the trial Court has issued a NBW against the petitioner, and has not chosen to surrender and recall the warrant and he was arrested and remanded to judicial custody on 29.08.2022. 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:



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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.15,000/- (Rupees Fifteen Thousand only)** with two sureties, each for a like sum to the satisfaction of the **Principal District and Sessions Judge, Kanchipuram** and on further conditions that :-

[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 all working days at **10.30.a.m., until further orders;**

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance



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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]*;

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

28.05.2025

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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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**K. GOVINDARAJAN THILAKAVADI, J.**

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To

1. Principal District and Sessions Judge, Kanchipuram.
2. The Inspector of Police,  
T-13, Kundrathur Police Station,  
Kanchipuram.
3. The Superintendent,  
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,  
High Court of Madras.

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