



Crl.O.P.No.16107 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.16107 of 2025

Nagarajan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Omalur Police Station,
Salem District.
(Crime No.392 of 2015).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., 2023 to enlarge the petitioner on bail in P.R.C.No.30 of 2015 on the file of learned Judicial Magistrate, Omalur in Crime No.392 of 2015 on the file of the respondent police.

For Petitioner : Mr.C.R.Gokulvisvas

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



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ORDER

The petitioner seeks bail in P.R.C.No.30 of 2015 in Crime No.932 of 2015 pending on the file of the learned Judicial Magistrate, Omalur for the offence punishable under Sections 498(A) & 302 of IPC.

2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in P.R.C.No.30 of 2015 on the file of the Judicial Magistrate, Omalur. 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 18.04.2025. 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 P.R.C.No.30 of 2015 on the file of the learned Judicial Magistrate, Omalur, 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 18.04.2025. 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 **Judicial Magistrate, Omalur** 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 with law as if the conditions have been imposed and the



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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

Sma

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.

Sma

To

1. Judicial Magistrate, Omalur.
2. The Inspector of Police,
Omalur Police Station,
Salem District.
3. The Superintendent,
Salem Central Jail.
4. The Public Prosecutor,
High Court of Madras.

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