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Crl.O.P.No.17973 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.17973 of 2025

Jayasuriya

... Petitioner

Vs.

State represented by,
The Inspector of Police,
Sathuvachari Police Station,
Vellore District.
(Crime No.111 of 2021)

... Respondent

PRAYER : Criminal Original Petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in C.C.No.443 of 2021 on the file of the learned Judicial Magistrate No.V, Vellore.

For Petitioner : Mr.G.Vinodhkumar

For Respondent : Mr.R.Vinothraja

Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.03.2025 pursuant to the non-bailable warrant issued against him in C.C.No.443 of 2021 on the file of the learned Judicial Magistrate No.V, Vellore, in connection with Crime No.111 of 2021 registered for the offence under Section 392 IPC seeks bail.



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2. Learned counsel appearing for the petitioner submitted that the petitioner/A1 is facing trial in C.C.No.443 of 2021 on the file of the learned Judicial Magistrate No.V, Vellore. He further submitted that the petitioner was originally arrested and granted bail in the present case, however, due to his illness, he was unable to appear before the trial Court on 17.04.2024, thereby, the trial Court has issued a Non Bailable Warrant of arrest against him and the same was executed on 18.03.2025. He also submitted that the petitioner will appear before the trial Court on all hearing dates without fail and he will co-operate for speedy disposal of the trial. Hence, he prayed for grant of bail to the petitioner.

3. Learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner/A1, who is facing trial in C.C.No.443 of 2021 before the learned Judicial Magistrate No.V, Vellore, has failed to appear before the trial Court on 17.04.2024, thereby, the trial Judge has issued a Non-Bailable Warrant of arrest against him and pursuant to the same, he was arrested on 18.03.2025. Hence, he opposed 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.



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5. Considering the nature of allegations and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.V, Vellore** 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 petitioner shall report before the learned Judicial Magistrate No.V, Vellore everyday at 10.30.a.m. and 5.30 p.m., for a period of one month and he shall also appear before the trial Court on all hearing dates without fail;

[c] the petitioner shall not abscond during 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 petitioner released on



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G.K.ILANTHIRAIYAN, J.

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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 of B.N.S.

23.06.2025

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To

1. The Judicial Magistrate No.V, Vellore.
2. The Inspector of Police,
Sathuvachari Police Station,
Vellore District.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court, Madras.

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