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Crl.O.P.No.17418 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2025

CORAM

**THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR**

Crl.O.P.No.17418 of 2025

Sundharam

... Petitioner/A1

Vs.

State Rep by,  
The Inspector of Police,  
Peelamedu Police Station,  
Coimbatore.  
(Crime No.727 of 2017)

... Respondent

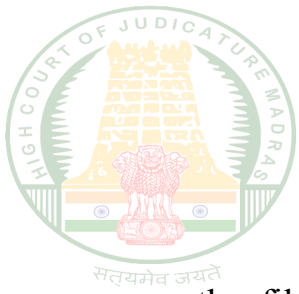
**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending trial in S.C.No.172 of 2025 before the learned Sessions Judge, Bomb Blast Court, Coimbatore.

For Petitioner : Mr.P.Thinesh

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

**ORDER**

The petitioner/A1, who was arrested and remanded to judicial custody on 23.05.2025 pursuant to the non-bailable warrant issued in S.C.No.172 of 2025

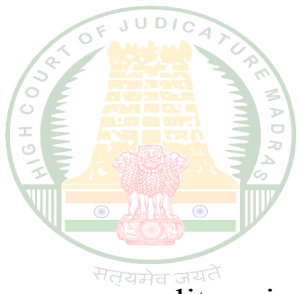


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on the file of the learned Sessions Judge, Bomb Blast Court, Coimbatore, in connection with Crime No.727 of 2017 registered for the offences punishable under Sections 392, 397 r/w 34 of IPC, seeks bail.

2.The contention of the learned counsel for petitioner is that in this case charge sheet filed in PRC No.65 of 2025, thereafter the case was committed to the Sessions Court in S.C.No.172 of 2025 and the petitioner is appearing before the trial Court. The learned counsel further referring to the E-Court adjudication submits that in the adjudication dated 03.06.2023, it is recorded that summon not served to the petitioner, prosecution filed a memo stating that accused are absconding for the purpose of evading to receive the summon, hence NBW issued, which is not proper. The petitioner is very much available in the said address and now NBW issued. The petitioner is ready to cooperate with the trial. Hence, he prays to grant bail to the petitioner.

3.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that originally the case was registered in Crime No.77 of 2017 and thereafter charge sheet filed in PRC No.91 of 2019. The accused persons were absconding themselves in alternate. Finally the case was



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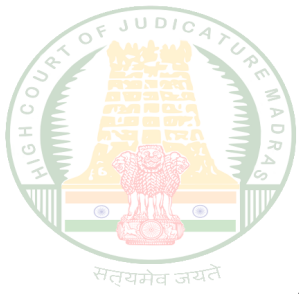
split up in PRC No.65 of 2025 against the petitioner/A1. PRC No.91 of 2019 was also committed in S.C.No.170 of 2025. Both the cases are now posted to 24.06.2025 and 26.06.2025, respectively. He fairly submitted that trial in both the cases are yet to commence. Hence, both the cases can be clubbed together and one trial can proceed against all the accused.

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 **Sessions Judge, Bomb Blast Court, Coimbatore**, 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,



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2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

**[b] the petitioner shall appear before the trial Court on every Monday at 10.30 a.m. and on all future hearing dates without fail;**

[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]**;



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

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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 the official website of this Court will be watermarked and will also have a QR code.

To

1.The Sessions Judge,  
Bomb Blast Court, Coimbatore.

2.The Inspector of Police,  
Peelamedu Police Station,  
Coimbatore.

3.The Superintendent,  
Central Prison, Coimbatore.

4.The Public Prosecutor,  
High Court of Madras.



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**M.NIRMAL KUMAR, J.**

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