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CRL OP Nos. 18629 & 18507
2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 18629 of 2025

AND

CRL OP NO. 18507 OF 2025

RAJA

Petitioner(s)

Vs

The State Rep By, The Inspector Of
Police
Veeraganur Police Station, Salem
District.
Crime No.49 of 2021

Respondent(s)

CRL OP No. 18507 of 2025

Raja

Petitioner(s)

Vs

State Rep by, The Inspector of Police,
Veeraganur Police Station, Salem
District. (Crime No.50/2021)

Respondent(s)



CRL OP No. 18629 of 2025

PRAYER

This Criminal Original Petition is filed under Section 483 of BNSS Act 2023 to enlarge the petitioner on bail in PRC.No.22 of 2023 on the file of the Learned Judicial Magistrate - I, Attur, Salem District.

CRL OP No. 18507 of 2025

PRAYER

This Criminal Original Petition is filed under Section 483 of BNSS Act 2023 to enlarge the petitioner on bail in PRC.No.23/2023 on the file of the Learned Judicial Magistrate -I, Attur , Salem District.

In both CrI.O.Ps'

For Petitioner(s): Mr.T.Dhasarathan

For Respondent(s): Mr.R.Vinothraja, GA (CrI.Side)

COMMON ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.03.2025, for the alleged offence punishable under Sections 457 and 397 of IPC subsequently it was altered as 457, 397 and 395 of IPC in Crime Nos.49 & 50 of 2021, on the file of the respondent police, seeks bail.

2. Learned counsel for the petitioner would submit that the petitioner was already granted bail and he was regularly appearing for the hearing of the case in PRC Nos.22 & 23 of 2023 pending before the learned Judicial Magistrate



No.I Court, Attur, Salem District. When the case was posted on 19.04.2023,

petitioner was unable to appear before the Court, due to which, NBW was issued against the petitioner and he was remanded to judicial custody on 17.03.2025 and that the non appearance of the petitioner on that day is neither wilful nor wanton and he is ready to abide by any conditions that may be imposed by this Court and prays for grant of bail to the petitioner.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the petitioner is a habitual offender and if the petitioner is released on bail, he will abscond and it will affect the further proceedings of the case, hence, he strongly objected to release the petitioner on bail.

4. Heard both sides.

5. Considering the submissions of the learned counsel on either side and the period of incarceration undergone by the petitioner, this Court is inclined to



grant bail to the petitioner, subject to 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.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned **Judicial Magistrate-I, Attur, Salem District** 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 committal Court on every Tuesday at 10.30 a.m., and all hearing dates without fail except on the days when he is required to appear before the Trial Court on other case;

[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



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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.

03-07-2025

Jai

Index:Yes/No

Speaking/Non-speaking order

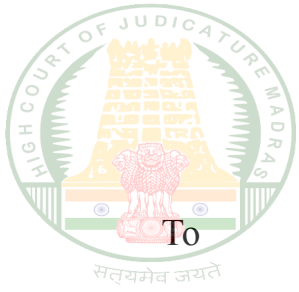
Internet:Yes

Neutral Citation:Yes/No

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.



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1. The Inspector Of Police
Veeraganur Police Station, Salem
District.

2. The Judicial Magistrate I, Attur,
Salem District.
3. The Central Prison, Salem.
4. The Public Prosecutor
High Court of Chennai.



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M. NIRMAL KUMAR, J.
jai

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