



WEB COPY



Crl.O.P.No.19354 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2025

CORAM

**THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR**

Crl.O.P.No.19354 of 2025

Suresh

... Petitioner

Vs.

The State represented by,  
The Inspector of Police,  
N-3, Muthialpet Police Station,  
Chennai - 600 001.

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya  
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in S.C.No.125  
of 2025 on the file of the Mahila Sessions Court, Chennai.

For Petitioner : Mr.A.Elumalai

For Respondent : Mr.R.Vinothraja  
Government Advocate (Criminal Side)

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on  
02.01.2025 pursuant to the non-bailable warrant issued in S.C.No.125 of 2025 on  
the file of the Mahila Sessions Court, Chennai, in connection with Crime No.175  
of 2024 registered for the offences punishable under Sections 296(b), 121(2), 132  
of BNS and Section 4 of TNPHW Act, seeks bail.



CrI.O.P.No.19354 of 2025

WEB COPY

2. It is the case of jumped bail. Since the petitioner failed to appear before the trial Court, a non-bailable warrant of arrest was issued against him on 02.12.2024 and pursuant to the same, he was arrested and remanded to judicial custody on 02.01.2025.

3. Learned counsel appearing for the petitioner submitted that the petitioner is facing trial in S.C.No.125 of 2025 on the file of the Mahila Sessions Court, Chennai. He further submitted that since the summon was not served on the petitioner, he was unable to appear before the trial Court on 02.12.2024, thereby, the trial Court had issued a non-bailable warrant and the same was executed on 02.01.2025. He also submitted that non appearance of the petitioner was not deliberate and he is ready to abide by any stringent condition that may be imposed by this Court.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police opposed for granting bail to the petitioner stating that there are 14 witnesses in this case and the case now stands posted on 17.07.2025.

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



CrI.O.P.No.19354 of 2025

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.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Mahila Sessions Court, Chennai**, 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, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

**[b] the petitioner shall also appear before the trial Court on all 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;



WEB COPY



CrI.O.P.No.19354 of 2025

**M.NIRMAL KUMAR, J.**

ham

[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]**;

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

**08.07.2025**

ham

**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 Mahila Sessions Court, Chennai.
2. The Inspector of Police,  
N-3, Muthialpet Police Station,  
Chennai - 600 001.
3. The Superintendent, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.

**CrI.O.P.No.19354 of 2025**