



Crl.O.P.No.21994 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.21994 of 2025

Muthuvelmurugan

... Petitioner/A4

Vs.

State Rep by,
The Inspector of Police,
Periyanaickenpalayam Police Station,
Coimbatore.
(Crime No.458 of 2024)

... Respondent

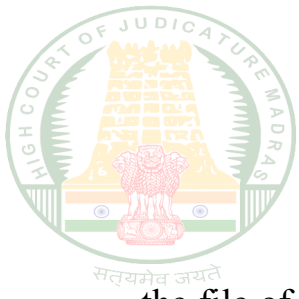
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in S.C.No.267 of 2024 on the file of the learned Sessions Judge, Mahila Court/Additional Special Court for Exclusive trial of Cases under POCSO Act, Coimbatore.

For Petitioner : Mr.T.Ananthasekar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.06.2024 pursuant to the non-bailable warrant issued in S.C.No.267 of 2024 on



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the file of the learned Sessions Judge, Mahila Court/Additional Special Court for Exclusive trial of Cases under POCSO Act, Coimbatore, in connection with Crime No.458 of 2024 registered for the offences punishable under Sections 147, 148, 294(b), 447, 448, 323, 324, 307, 506(ii), 109, 326 and 34 of IPC and Section 4 of Tamil Nadu Prohibition Act and Section 3 of Tamil Nadu Property (Prevention of Damage Loss) Act, 1992, seeks bail.

2. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged offence. He further submitted that in this case investigation completed, charge sheet filed and the same was taken on file in S.C.No.267 of 2024. Hence, he prayed for grant of bail to the petitioner.

3. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting bail to the petitioner stating that it is a case of jumped bail. Totally there are 7 accused, the petitioner is ranked as A4. The warrant was issued against the petitioner on 21.01.2023 and executed on 21.06.2024. He further submitted that except this petitioner, other accused are appearing before the Court in S.C.No.267 of 2024. Totally there are 34 witnesses and the case is posted on 28.08.2025 for commencing trial.



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4. Heard both sides and perused the materials available on record.

5. Considering the submission made and on perusal of the material, it is seen that the petitioner was earlier arrested during investigation and later came out on bail. When the case was at the stage of committal, Non-Bailable Warrant issued against the petitioner on 21.01.2023, thereafter it was executed on 21.06.2024. The case was committed to Court of Sessions on 09.07.2024 and the same was taken on file in S.C.No.267 of 2024. There are totally 7 accused in this case. Except this petitioner, all other accused are regularly appearing before the trial Court. The case is posted on 28.08.2025 for opening of the prosecution. 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.5,000/- (Rupees Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.V, Coimbatore** and on further conditions that:



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[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;

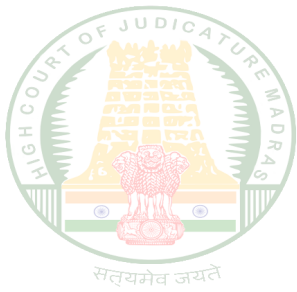
[b] the petitioner shall appear before the trial Court on every Tuesday at 10.30 a.m. and on all future hearing dates without fail except when he required to appear before the trial Court for hearing in connection with other cases ;

[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



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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.

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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 Judicial Magistrate No.V,
Coimbatore.
- 2.The Sessions Judge,
Mahila Court/Additional Special Court for Exclusive trial
of Cases under POCSO Act, Coimbatore.
- 3.The Inspector of Police,
Periyanaickenpalayam Police Station,
Coimbatore.
- 4.The Superintendent,
Central Prison, Palayamkottai.

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5.The Public Prosecutor,
High Court of Madras.

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