



CrI.O.P.No.23866 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2025

CORAM

THE HON'BLE MR JUSTICE N.SATHISH KUMAR

CrI.O.P.No.23866 of 2025

Tamizharasan

... Petitioner

Vs.

The State represented by its
The Inspector of Police,
S-1, St.Thomas Mount Police Station,
St.Thomas Mount, Alandur, Chennai.
(Crime No.2612 of 2012)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/accused No.5 on bail in
PRC No.46 of 2012 pending before the learned Judicial Magistrate Court No.I at
Alandur.

For Petitioner : Mr.V.Vinothkumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
20.07.2025, for the alleged offence under Sections 147, 148, 541, 324, 506 (ii)
and 307 of I.P.C. in Crime No.2612 of 2012, registered on the file of the
respondent, seeks bail.



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2.The learned counsel for the petitioner submits that since the petitioner failed to appear before the Court as he was unwell due to Jaundice, NBW was issued against him on 16.11.2022 and the same was executed on 20.07.2025. He further submits that the petitioner is in judicial custody from 20.07.2025 and hence, further custody of the petitioner is not required. Hence, prayed for grant of bail to the petitioner.

3.The learned Government Advocate (Criminal side) appearing for the respondent Police submits that the petitioner is in judicial custody on execution of NBW on 20.07.2025 and final report is also filed. However, opposed for grant of bail to the petitioner.

4.Heard the learned counsels on either side and perused the records.

5.Considering the above facts, the fact that the case is of the year 2012, the submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



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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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate Court No.I, Alandur**, 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 report before the concerned Magistrate daily at 10.30 a.m. until further orders;

[c] 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]**;

[d] 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.



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To

- 1.The Judicial Magistrate No.I, Alandur.
- 2.The Inspector of Police,
S-1, St.Thomas Mount Police Station,
St.Thomas Mount, Alandur, Chennai.
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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N.SENTHIL KUMAR, J.

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