



WEB COPY

Crl.O.P.No.25075 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-09-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.25075 of 2025

John @ Kallarai John @ Kallarai Anand

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
D-3 Ice House,
Chennai.
(Crime No.329 of 2018)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in S.C.No.20 of 2023 on the file of the Hon'ble XVII Additional Sessions Judge, Chennai.

For Petitioner(s) : Mr. S. Mohan Raj

For Respondent(s) : Mr. A. Gopinath
Government Advocate (Crl. Side)



WEB COPY

Crl.O.P.No.25075 of 2025



ORDER

The petitioner, who was arrested and remanded to judicial custody on 06.08.2025 based on execution of NBW dated 23.07.2025 in S.C.No.20 of 2023 on the file of the Hon'ble XVII Additional Sessions Judge, Chennai, registered for the offences punishable under Sections 341, 147, 148 and 302 of IPC r/w 120(B) and 34 of IPC in Crime No.329 of 2018 on the file of the respondent police, seeks bail.

2. The learned counsel appearing for the petitioner submitted that originally the petitioner was arrested and released on bail and was regularly appearing before the Trial Court for the case in S.C.No.20 of 2023 and since the petitioner had not appeared before the Trial Court, NBW was issued as against the petitioner and subsequently arrested on 06.08.2025. He further submitted that the co-accused in this case were already enlarged on bail by this Court petitioner and the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.



WEB COPY

3. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner submitted that the petitioner had not appeared before the Trial Court; that thereby he was arrested based on execution of NBW issued by the Trial Court. He also submitted that the petitioner has nearly 13 previous cases; and that the trial is pending for examination of witnesses.

4. Considering the facts of the case, the period of incarceration undergone by the petitioner, the co-accused were already enlarged on bail and taking note of the fact that he regularly appeared before the Trial Court, this Court is inclined to grant bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties each** for a like sum to the satisfaction of the learned XVII Additional Sessions Judge, 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,



WEB COPY

Crl.O.P.No.25075 of 202५



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 concerned daily at 10:30 a.m., for a period of three weeks and the petitioner shall appear before the Trial Court on all hearing dates without fail;

[c] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall make himself available for interrogation by a Police officer as and when required;

[e] the petitioner shall not abscond either during investigation or trial;

[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];

WEB COPY

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

25.09.2025

stn

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 XVII Additional Sessions Judge,
Chennai.
2. The Inspector of Police,
D-3 Ice House,
Chennai.
(Crime No.329 of 2018)
3. The Superintendent,
Central Prison, Puzhal.



WEB COPY



Crl.O.P.No.25075 of 2025

K. RAJASEKAR, J.

stn

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P. No.25075 of 2025

25.09.2025