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Crl.O.P.No.25872 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-09-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.25872 of 2025

Samy @ Vellaisamy @ Das @ Ram Doss @ Kumar ... Petitioner/ A1

Vs

The State rep. by,
Inspector of Police,
B6 Peelamedu Police Station.
Coimbatore District
(Crime No.1332 of 2011)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.1332 of 2011 on the file of the respondent police.

For Petitioner(s) : Mr. P. Neelavathi

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 08.12.2024 on execution of NBW dated 21.08.2024 in S.C.No.260 of 2023 pending on the file of the learned IV, Additional District and Sessions Judge, Coimbatore District for the offences punishable under Sections 449,392,302 r/w 34 of I.P.C in Crime No.1332 of 2011 on the file of the respondent police, seeks bail.

2. The learned counsel appearing for the petitioner submitted that originally the petitioner was not aware about the hearing. Hence, he was not appeared on the date of hearing before the Trial Court for the case in S.C.No.260 of 2023 and due to his non-appearance before the Trial Court on 21.08.2024 a NBW was issued as against the petitioner and subsequently, the petitioner was arrested on 08.12.2024. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

3. The learned Government Advocate (Criminal Side) appearing for



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the respondent while opposing the bail to the petitioner submitted that the petitioner on getting enlarged on bail alleged to have failed to comply the condition to appear before the Trial Court, however since the petitioner failed to appear, a NBW was issued and subsequently, he was arrested. He further submitted that P.W.1 and P.W.2 were examined and the case is now posted for cross examination of P.W.3.

4. Considering the period of incarceration undergone by the petitioner and the fact that the trial proceedings has not yet commenced, 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each** for a like sum to the satisfaction of the **learned IV Additional District and Sessions Judge, Coimbatore District** 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;

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[b] **the petitioner shall appear before the Trial Court concerned daily at 10:30 a.m., for a period of three weeks and thereafter, 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]**;



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

19.09.2025

smn

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 **IV Additional District and Sessions Judge, Coimbatore District**
2. Inspector of Police,
B6 Peelamedu Police Station.
Coimbatore District
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

smn

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