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Crl.O.P.No.26335 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-09-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.26335 of 2025

Udhaya @ Udhayakumar

... Petitioner

Vs

The State of Tamil Nadu,
rep. by, The Inspector of Police,
H-1, Washermenet Police Station,
Chennai.

... 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.5 of 2020 (on the file of Trial court) connected with Cr.No.663 of 2018 on the file of respondent.

For Petitioner(s) : Mr.M. Illiyas

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 01.08.2025 based on execution of NBW dated 03.07.2025 in S.C.No.5 of 2020 (on the file of Trial court) connected with Cr.No.663 of 2018 for the offences punishable under Sections 294(b), 392, r/w 397, 427, 506(ii) of I.P.C in Crime No.663 of 2018 on the file of the respondent police, seeks bail.

2. The learned counsel appearing for the petitioner submitted that petitioner voluntarily surrendered before the Trial Court and he filed recalled petition before the Trial Court on 01.08.2025 and the same was dismissed, based on which NBW was issued on 03.07.2025 by Trial Court in S.C.No.5 of 2020 (on the file of Trial court) and he was arrested. The learned counsel further submitted that since the petitioner was arrested in another case he was not able to appear before the Trial Court. 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.



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3. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner submitted that the petitioner was on bail earlier not appeared before the Trial Court during the pendency of the trial, hence NBW was issued and subsequently, he was arrested. He further submitted that the so far nine witnesses were examined and the case is now posted for framing of charges.

4. Considering the period of incarceration undergone by the petitioner and the fact that the case is posted for framing of charges, 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 XVIII Additional Sessions Judge at 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;



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



[g] If the accused thereafter absconds, a fresh FIR
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24.09.2025

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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 XVIII Additional Sessions Judge at Chennai
2. The Inspector of Police,
H-1, Washermenet Police Station,
Chennai.
3. The Superintendent,
Central Prison, Puzhal
4. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.



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