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Crl.O.P.No.25420 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-09-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.25420 of 2025

Suresh @ Kutta Suresh

... Petitioner/ A7

Vs

The State rep. by,
The Inspector of Police,
Vellore North (L&O) Police Station,
Vellore District.
(Crime No.167 of 2017)

... 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.301 of 2023 on the file of the Hon'ble Additional District Judge (FTC), Vellore, Vellore District.

For Petitioner(s) : Mr. K. Sathish Kumar

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



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ORDER

This is the case of abduction and murder and the petitioner, who was arrested and remanded to judicial custody on 31.07.2023 based on execution of NBW dated 22.10.2022 in S.C.No.301 of 2023 on the file of the Hon'ble Additional District Judge (FTC), Vellore, Vellore District, registered for the offences punishable under Sections 302, 120(B), 341, 384, 364A, 506(ii), 342, 201, 109, 212 of IPC in Crime No.167 of 2017 on the file of the respondent police, seeks bail.

2. The learned counsel appearing for the petitioner submitted that originally the petitioner was earlier arrested and released on bail and was regularly appearing before the Trial Court for the case in S.C.No.301 of 2023 and due to his non-appearance before the Trial Court in the month of October, 2022, a NBW was issued as against the petitioner on 22.10.2022 and subsequently, the petitioner was arrested on 31.07.2023. He further submitted that the petitioner is under custody for more than 2.5 years and the petitioner is also 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 there are totally 15 accused and the petitioner is arrayed as A7 in this case and he was arrested based on execution of NBW issued by the Trial Court. He also submitted that the trial has not yet commenced due to non-appearance of the accused in this case and the petitioner has five previous cases and a Hooligan History Register No.56 of 2022 dated 01.12.2022 has been registered against the petitioner.

4. The fact that the petitioner is under custody for more than 2.5 years from 31.07.2023 and the trial is not progressing due to non-appearance of other accused in this case, hence considering the period of incarceration undergone by the petitioner, 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 Additional District Judge (FTC), Vellore, Vellore

District 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 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



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Crl.O.P.No.25420 of 2025



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 can be registered under Section 269 of B.N.S.

18.09.2025

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.



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To

1. The Additional District Judge (FTC),
Vellore, Vellore District.
2. The Inspector of Police,
Vellore North (L&O) Police Station,
Vellore District.
(Crime No.167 of 2017)
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.25420 of 2025



K. RAJASEKAR, J.

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Crl.O.P. No.25420 of 2025

18.09.2025