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Crl.O.P.No.26300 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.26300 of 2025

Mr.Gopinath

... Petitioner

Vs.

The State represented by
The Inspector of Police,
K-7, ICF Police Station,
Chennai.
(Crime No.171 of 2018)

... Respondent

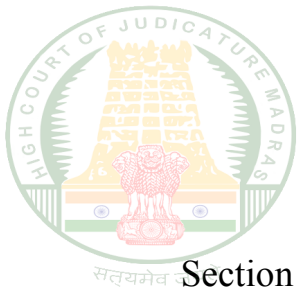
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in PRC No.169 of 2019 pending on the file of the learned V Metropolitan Magistrate, Chennai.

For Petitioner : Mr.S.Ajith

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

ORDER

The petitioner was arrested on 15.09.2025, on execution of Non-Bailable Warrant issued by the learned V Metropolitan Magistrate, Chennai, for the offence under Sections 341, 323, 397, 506(ii) of IPC read with



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Section 34 of IPC in PRC No.169 of 2019 in respect of Crime No.171 of 2018 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that he was involved in a case of robbery. The case was taken on file in PRC No.169 of 2019 on the file of the learned V Metropolitan Magistrate, Chennai. On 21.02.2022, the petitioner did not appear before the Court and, therefore, a Non-Bailable Warrant (NBW) was issued. Subsequently, the petitioner was arrested by the respondent police and produced before the Trial Court on 15.09.2025.

3. Learned counsel for the petitioner submitted that the petitioner was unable to appear before the Trial Court on 21.02.2022 as no summons had been served on him by the respondent police, and he was not aware of the pendency of the above case pending before the Trial Court, and, therefore, could not attend the hearing, thereby, a Non Bailable Warrant was issued. He also submitted that the petitioner is ready to appear before the trial Court and and also he is ready to co-operate for speedy disposal of the trial. Hence, he prays for grant of bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that PRC.No.169 of 2019 has been committed to the Court of Sessions and that the petitioner has been directed to appear before the Sessions Court on 30.09.2025.

5. Heard both sides and perused the materials available on record.

6. Considering the fact that a Non-Bailable Warrant (NBW) was issued on 21.01.2022 and he was arrested on 15.09.2025 also, the case is committed and the petitioner is directed to appear before the Sessions Court on 30.09.2025, this Court is inclined to grant bail to the petitioner with certain conditions:

7. 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 **V Metropolitan Magistrate, 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



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copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the Trial Court for a period of three weeks, and thereafter, upon committal, shall appear before the Sessions Court regularly on all hearing dates without fail;

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

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[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.

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 V Metropolitan Magistrate Court, Egmore.
- 2.The Inspector of Police,
K-7, ICF Police Station,
Chennai.
- 3.The Chennai Central Prison,
Puzhal, Women Wing.
- 4.The Public Prosecutor,
High Court of Madras.

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K.RAJASEKAR, J.

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