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Crl.O.P.No.26326 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.26326 of 2025

Kalu @ Dasthageer

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Vaniyambadi Town Police Station,
Tirupathur District.
Crime No.625 of 2021

... Respondent

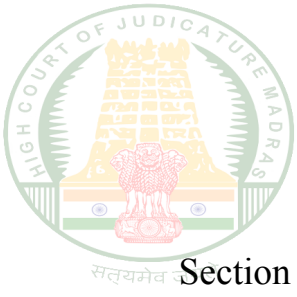
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail pending disposal of the case in S.C.No.7 of 2024 before the learned District and Sessions Court (FAC), Tirupattur.

For Petitioner : Mr.M.Ganesh

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

ORDER

The petitioner was arrested on 06.09.2025, on execution of Non-Bailable Warrant issued by the learned District and Sessions Judge (FAC), Tirupattur for the offence under Sections 147, 148, 294(b), and 302 read with



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Section 34 of IPC pending trial in S.C.No.7 of 2024 in respect of Crime No.625 of 2021 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that he was involved in a case of murder and subsequently, he was granted bail. After the case was committed to the Sessions Court, he regularly appeared in S.C.No.7 of 2024 on the file of the learned District and Sessions Judge (FAC), Tirupattur. On 15.07.2025, the petitioner did not appear before the Court. Hence, Non-Bailable Warrant (NBW) was issued. Thereafter, the petitioner was arrested and remanded to judicial custody on 06.09.2025.

3. Learned counsel for the petitioner submitted that the petitioner met with an accident while coming to the Court and, therefore, could not attend the hearing on 15.07.2025, thereby, a Non Bailable Warrant was issued, and the petitioner was formally arrested on 06.09.2025. 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.

4. Learned Government Advocate (Crl.Side) appearing for the



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respondent police submitted that the petitioner was arrested on 06.09.2025, and he has no previous case.

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

6. Considering the fact that a Non-Bailable Warrant (NBW) was issued on 15.07.2025, and that the petitioner was arrested on 06.09.2025, 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 **District and Sessions Court (FAC), Tirupattur**, 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;

[b] the petitioner shall report before the Trial Court for a period of three weeks, and thereafter on all



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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;

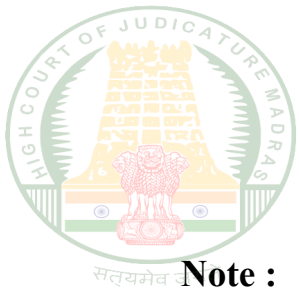
[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[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]**;

[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 District and Sessions Court (FAC), Tirupattur.
- 2.The Inspector of Police,
Vaniyambadi Town Police Station,
Tirupathur District.
- 3.The Central Prison,
Vellore.
- 4.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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