



Crl.O.P.No.31569 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2025

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.31569 of 2024

Bala

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Roshanai Police Station,
Villupuram District.

(Crime No.562 of 2015).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with the Crime No.562 of 2015, on the file of the respondent Police.

For Petitioner : Mr.A.Ramesh

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.562 of 2015 registered for the offences punishable under Sections 109, 212 of IPC r/w Section 25(1) of Arms Act, is on board for consideration.



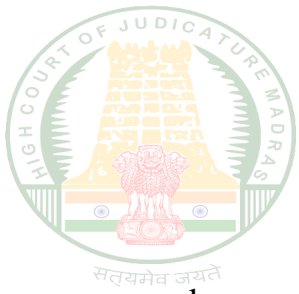
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2. Learned counsel for the petitioner submits that the petitioner is arrayed as A2 in P.R.C.No.11 of 2022 on the file of the learned Judicial Magistrate No.I, Tindivanam. He further submits that since the petitioner was not aware of the case details, he failed to appear before the trial court, thereby, the non-bailable warrant was issued against him and pursuant to the same, he was arrested on 13.11.2024. He also submits that the petitioner undertakes that he will appear before the trial Court on all hearing dates without fail and he will co-operate for speedy disposal of the trial. Hence, he prayed for grant of bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent, while objecting for grant of bail, submits that since the petitioner failed to appear before the trial Court in P.R.C.No.11 of 2022, the non-bailable warrant came to be issued against him and the same was executed on 13.11.2024. He further submits that there are 11 witnesses in this case and now the case stands posted for execution of NBW pending against A1. He also submits that 13 previous cases are pending against the petitioner.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration



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undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties** (out of which, one of the sureties should be the blood related surety of the petitioner), each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Tindivanam**, and on further conditions that :

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall appear before the learned **Judicial Magistrate No.I, Tindivanam, on all working days at 10.30 a.m., until further orders;**

[c] the petitioner shall not abscond during trial and shall co-operate for speedy disposal of the trial;

[d] the petitioner shall not tamper with evidence or witness during trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560]***;



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A.D.JAGADISH CHANDIRA., J.

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

21.01.2025

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To

1. The Judicial Magistrate No.I,
Tindivanam.
2. The Inspector of Police,
Roshanai Police Station,
Villupuram District.
3. The Superintendent,
Sub Jail,
Tindivanam.
4. The Public Prosecutor,
High Court of Madras.

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