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Crl.O.P.No.27429 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-10-2025

CORAM

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

CRL OP NO.27429 of 2025

1.Aravindan @ Aravind
2.Arun @ Kozhibody Arun

... Petitioners/Accused

Vs

State rep. by,
The Inspector of Police,
E-2, Royapettah Police Station,
Chennai.
(Crime No.173 of 2018).

... Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on bail
in Crime No.173 of 2018 pending on the file of the respondent police.

For Petitioners : Mr.U.Yuvaraj

For Respondent : Mr. V.J.Priyadarsana
Government Advocate (Crl. Side)



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ORDER

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The petitioners, seek bail in S.C.No.216 of 2023 on the file of the VI Additional District and Sessions Judge, Chennai, in connection with Crime No.173 of 2018 for the offences punishable under Sections 147, 148, 294(b), 341, 307, 506(ii) r/w 149 IPC and Section 3(1) of TNPPDL Act.

2. It is a case of jumped bail. The petitioners are accused in S.C.No.216 of 2023 on the file of the VI Additional District and Sessions Judge, Chennai. The petitioners were already granted bail, however, due to non appearance before the Court, Non Bailable Warrant has been issued against them on 17.06.2025 and the same was executed on 30.07.2025.

3. Learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that the petitioners were unable to appear before the Trial Court, as a result of non appearance, NBW was issued against them on 17.06.2025. He further submitted that the petitioners have been in custody from 30.07.2025. Hence, he prays for grant of bail to the petitioners.



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4. Learned Government Advocate (Crl. Side) for the respondent submitted that the petitioners were already granted bail and due to non appearance, NBW was issued against the petitioners and they were secured only on 30.07.2025. He further submits that the case is now posted for framing of charges. However, he vehemently opposed to grant bail to the petitioners.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering that the petitioners were already granted bail and thereafter, due to their non appearance before the Trial Court, NBW was issued and the same has been executed, and the petitioners are in judicial custody from 30.07.2025 this Court is inclined to grant bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned **VI Additional District and Sessions Judge, Chennai**, and on



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further conditions that:-

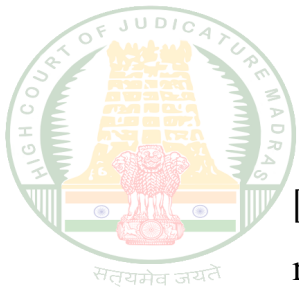
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the concerned Judicial Magistrate on every Monday to Friday at 10.30.a.m., until further orders and report before the respondent police on every Saturday and Sunday at 10.30 a.m., until further orders.

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

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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 official website of this Court will be watermarked and will also have a QR code.

To

- 1.The VI Additional District and Sessions Judge,
Chennai.
- 2.The Superintendent of Police,
Central Prison-II, Puzhal, Chennai.
3. The Inspector of Police,
E-2, Royapettah Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

N. SENTHILKUMAR, J.



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