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CrI.O.P.No.32033 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.01.2025

CORAM

THE HONOURABLE Mr. JUSTICE **A.D.JAGADISH CHANDIRA**

CrI.O.P.No.32033 of 2024

Vanavarayan Subramani

... Petitioner

Vs

The State rep by
The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram District.
Crime No.522 of 2018.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on bail in the event of his arrest by the respondent police in S.C.No.46 of 2020 on the file of the learned Additional District Judge, Kancheepuram in Crime No.522 of 2018 on the file of the respondent police.

For Petitioner	:	Ms.M.Dhivyalakshmi
For Respondent	:	Mr.Santhosh Government Advocate (CrI.Side)

ORDER

Apprehending arrest in pursuant to the warrant issued on 01.07.2024 in S.C.No.46 of 2020, pending on the file of the learned Additional District Judge, Kancheepuram, in connection with Crime No.522 of 2018 registered for the



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offences punishable under Sections 147, 148, 294(b), 506(2) and 302 of IPC, the present petition has been filed seeking anticipatory bail.

2. Learned counsel appearing for the petitioner submitted that the petitioner is facing trial in S.C.No.46 of 2020 on the file of learned Additional District Judge, Kancheepuram, for the offences under Sections Sections 147, 148, 294(b), 506(2) and 302 of IPC. He further submitted that the petitioner has been regularly appearing before the trial Court on all hearing dates, while so, due to illness, he was unable to appear before the trial Court on 01.07.2024, and therefore, a Nonailable Warrant was issued by the trial Court, against him. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, she prays for grant of anticipatory bail to the petitioner.

3. Learned Government Advocate (Crl. Side) submitted that since the petitioner, who is an accused facing trial in S.C.No.46 of 2020 on the file of learned Additional District Judge, Kancheepuram, has failed to appear before the trial Court on 01.07.2024, the trial Court has issued a Non-Bailable Warrant of arrest against him. He also submitted that due to the absence of the petitioner, the trial Judge is unable to proceed with the trial. He further submitted that now



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the case is posted for framing charges and the next hearing dated is on

28.03.2025. Hence, he object for grant of anticipatory bail.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly he is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Additional District Judge, Kancheepuram**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties, in which one of the sureties shall be blood related surety, each for a like sum to the satisfaction of the respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall appear before the Trial Court on all hearing dates at 10.30 a.m., till the framing of charges and thereafter on the date fixed by the learned Trial Court Judge.

[c] the petitioner shall not tamper with evidence or witness



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either during investigation or trial;

[d] the petitioner shall not abscond 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 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];

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

02.01.2025

Index : Yes/No
Internet : Yes/No

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To

1. The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram District.
2. The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDIRA, J,

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