



Crl.O.P.No.32208 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2025

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

Crl.O.P.No.32208 of 2024

Tamilarasan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
SHO. Neyveli Township Police Station,
Cuddalore District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail in P.R.C.No.8 of 2015 pending committal on the file of the learned District Munsif cum Judicial Magistrate, Neyveli.

For Petitioner : Mr.R.Parthiban

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

ORDER

Petition seeking bail in respect of P.R.C.No.8 of 2015 pending trial on the file of the learned District Munsif cum Judicial Magistrate, Neyveli, in connection with Crime No.286 of 2014 registered for the offences

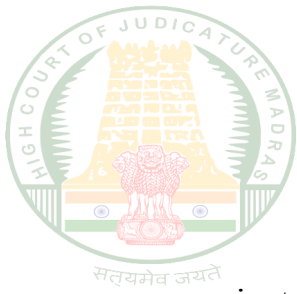


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punishable under Sections 457 and 397 of IPC r/w Section 457, 397 and 511 of IPC, is on board for consideration.

2. Learned counsel for the petitioner submits that the petitioner is an accused in Crime No.286 of 2014 and initially, the petitioner was enlarged on bail in the said crime number and thereafter, the case was taken up on the file the learned District Munsif cum Judicial Magistrate, Neyveli, in P.R.C.No.8 of 2015. However, without serving the summons, the trial Court had issued a non-bailable warrant against the petitioner on 29.06.2015 and pursuant to the same, he was arrested on 17.11.2024. 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 did not appear before the learned District Munsif cum Judicial Magistrate, Neyveli, in P.R.C.No.8 of 2015, the trial Judge has issued a Non-Bailable Warrant of arrest against him and the same was executed on 17.11.2024. He also submits that the respondent is unable to serve summons since the petitioner was absconding. He also submitted that 14 other cases are pending



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against the petitioner.

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4. At this juncture, the learned counsel for the petitioner submits that all the previous cases were registered in the year 2014 and subsequently, he was arrested in the case registered in 2024 under suspicion. Hence he prayed for grant of bail.

5. 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 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 **District Munsif cum Judicial Magistrate, Neyveli**, 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;



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A.D.JAGADISH CHANDIRA.,J.

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[b] the petitioner shall appear before the learned District Munsif cum Judicial Magistrate, Neyveli, 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]*;

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

28.01.2025

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To

1. The District Munsif cum Judicial Magistrate, Neyveli.
2. The Inspector of Police,
SHO. Neyveli Township Police Station,
Cuddalore District.
3. The Superintendent, Central Prison, Cuddalore.
4. The Public Prosecutor, High Court of Madras.

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