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Crl.O.P.No.28349 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21.11.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.28349 of 2025

Ilamaran

... Petitioner

-Vs-

State Rep by,
The Inspector of Police,
K7 ICF Police Station,
Chennai.
(Crime No.377 of 2023)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023, pleaded to enlarge the petitioner on bail in connection with S.C.No.167 of 2024 on the file of the X Additional Sessions Judge, Chennai.

For Petitioner : Mr.R.Aravindhan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.07.2025, pursuant to the non-bailable warrant issued against him on 09.08.2024, in S.C.No.167 of 2024, pending on the file of the X Additional



Sessions Judge, Chennai in connection with Crime No.377 of 2023 registered for the alleged offence punishable under Sections 294(b), 324, 427, 397, 506(ii)

of IPC, seeks bail.

2. The allegation against the petitioner is that the petitioner was already arrested and released on bail for the offences under Sections 294(b), 324, 427, 397, 506(ii) of IPC, He subsequently appeared before the X Additional Sessions Judge, Chennai, but failed to appear on 09.08.2024, due to which, a Non Bailable Warrant was issued. Thereafter, the petitioner voluntarily surrendered before the Trial Court on 17.07.2025, and now seeks bail.

3. Learned counsel appearing for the petitioner submitted that the petitioner was detained under Act 14 of 1982 in the year 2021 and thereafter he was released on bail, he was unable to appear before the concerned Court due to apprehension of foisting false cases against him. However, he voluntarily surrendered before the Trial court on 17.07.2025 and there is no progress in the trial. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is having 9 previous cases, and that if the petitioner is granted bail, there is a likelihood that he may indulge in similar activities.

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



including the First Information Report.

6. Considering the submissions made by the learned counsel on either side and on perusal of the records it is seen that Non Bailable Warrant was issued on 09.08.2024. It is also admitted fact that the petitioner was already granted bail but failed to appear before the Trial Court, hence Non Bailable Warrant was issued and that the petitioner was voluntarily surrendered on 17.07.2025, and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

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, for a like sum to the satisfaction of the *learned X Additional Session Judge at Chennai*, 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 report before the concerned Court daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not abscond either during



investigation or trial;

[d] the petitioner shall not tamper with the evidence or

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[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 B.N.S.

21.11.2025

drl

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.



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To

1.The X Additional Sessions Judge,
Chennai.

2.The Inspector of Police,
K7 ICF Police Station,
Chennai.

3.The Superintendent,
Central Prison, Puzhal, Chennai.

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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