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Crl.O.P.No.30392 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-11-2025

CORAM

**THE HONOURABLE MR JUSTICE K. RAJASEKAR**

**CRL OP NO.30392 of 2025**

R. Kumaresan

... Petitioner/ A2

Vs

The State rep. by,  
The Inspector of Police,  
Tiruppur North Police Station,  
Tiruppur, Tiruppur District.  
(Crime No.878 of 2019)

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya  
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in  
S.C.No.44 of 2021 on the file of the learned Court of Sessions, Magalir  
Needhi Mandram (Fast Track Mahila Court) Judge, Tiruppur.

**For Petitioner(s)** : Mr. A. Arshad Khan

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

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## **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 23.07.2025 based on execution of NBW dated 27.05.2025 in S.C.No.44 of 2021 pending trial on the file of the learned Court of Sessions, Magalir Needhi Mandram (Fast Track Mahila Court) Judge, Tiruppur for the offences punishable under Sections 294(b), 342, 34, 302, 307 and 506(ii) of IPC, seeks bail. The earlier bail application of the petitioner was dismissed by this Court, vide order dated 26.09.2025 in Crl.O.P.No.26740 of 2025.

2. The learned counsel appearing for the petitioner submitted that originally the petitioner was earlier arrested and released on bail and was regularly appearing before the Trial Court for the case in S.C.No.44 of 2021 and due to his ill health, he could not able to appear before the Trial Court on 27.05.2025, a NBW was issued as against the petitioner and subsequently, the petitioner was arrested on 23.07.2025. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.



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3. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner submitted that the petitioner was on bail earlier, since he has not appeared before the Trial Court during the pendency of the trial, a NBW was issued and subsequently, he was arrested. He further submitted that the petitioner has no previous antecedents, the charges have been framed in this case and the trial is yet to commence.

4. I have considered the submissions made on both sides and perused the materials available on record.

5. Considering the facts of the case, the petitioner has no previous antecedents, the fact that NBW was executed nearly within a period of one month, the trial is yet to commence and taking note of the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 each** for a like sum to the satisfaction of the **learned Court of Sessions, Magalir Needhi Mandram (Fast Track Mahila Court) Judge, Tiruppur.** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] **the petitioner shall appear before the Trial Court concerned daily at 10:30 a.m., for a period of three weeks and thereafter, on all hearing dates without fail;**

[c] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall make himself available for interrogation by a Police officer as and when required;

[e] the petitioner shall not abscond either during investigation or trial;

[f] On breach of any of the aforementioned



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conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

**07.11.2025**

stn

**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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**K. RAJASEKAR, J.**

stn

To

1. The Judge,  
Court of Sessions, Magalir Needhi Mandram (FTMC), Tiruppur.
2. The Inspector of Police,  
Tiruppur North Police Station,  
Tiruppur, Tiruppur District.  
(Crime No.878 of 2019)
3. The Superintendent,  
Central Prison, Coimbatore.
4. The Public Prosecutor,  
High Court of Madras.

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**07.11.2025**