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Crl.OP.No.29730 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.OP.No.29730 of 2025

R.Devendiran

... Petitioner

Vs.

State rep by,
The Inspector of Police,
Gingee Police Station,
Villupuram.
(Crime No. 57 of 2019).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleaded to enlarge the petitioner on bail, pending trial in S.C. No.86 of 2021
in Cr.No.57 of 2019 on the file of learned Sessions Judge, Magalir Neethi
Mandram (Fast Track Mahila Court), Villupuram.

For Petitioner : Mr.G.Tamilselvan

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



ORDER

The petitioner seeks bail in S.C. No.86 of 2021 on the file of learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Villupuram in connection with Crime No.57 of 2019 for the offences punishable under Sections 302, 364 and 201 of IPC. The petitioner has been remanded to custody on 09.05.2025 on execution of NBW issued against him on 25.04.2025.

2. It is a case of jumped bail. The petitioner is an accused in S.C. No.86 of 2021 on the file of learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Villupuram. The petitioner was already granted bail, however, due to non appearance before the Court, Non Bailable Warrant has been issued against him and the same was executed on 09.05.2025.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner was unable to appear before the Trial Court, due to ill health, as a result of non appearance, NBW was issued on



25.04.2025. He further submitted that the petitioner has been in custody from 09.05.2025 i.e., for the past five months and in the trial the material witnesses were also already examined. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and reported that out of 21 witnesses, 15 were already examined and the case is posted on 11.11.2025 for examination of further witnesses. Hence, he vehemently opposed to grant bail to the petitioner.

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

6. Considering the fact the petitioner is in custody from the month of May 2025, and now the case is posted for examination of witnesses and in the trial, the material witnesses were also already examined and also considering all other factors, I am inclined to grant bail to the petitioner subject to the following conditions:



7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Villupuram** 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 report before the Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Villupuram at 10.30 a.m for a period of three weeks and thereafter as and when required for interrogation;**

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

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during



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investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned 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.

03.11.2025

Vv

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.

To

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1. The Sessions Judge, Magalir Neethi Mandram
(Fast Track Mahila Court),
Villupuram
2. The Inspector of Police,
Gingee Police Station,
Villupuram.
3. The District Prison,
Villupuram.
4. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.



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