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Crl.O.P.No.28881 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.28881 of 2025

Vellaisamy

... Petitioner/A4

Vs.

The State represented by
The Inspector of Police,
Uthangarai Police Station,
Krishnagiri District.
(Crime No.511 of 2022)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.511 of 2022 pending on the file of the respondent Police.

For Petitioner : Mr.P.Neelavathi

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

ORDER

The petitioner who was arrested and remanded to judicial custody
on 08.12.2024, seeks bail in P.R.C.No.03 of 2024 for the offence punishable
under Sections Man Missing @ Sections 147, 148, 120(B), 302, 201, 34 and
109 of IPC in connection with Crime No.511 of 2022, registered on the file
of the respondent.



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2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in P.R.C.No.03 of 2024 on the file of the learned Judicial Magistrate, Uthangarai. He further submitted that since the petitioner was arrested in other case, he was unable to appear before the trial Court, and he was issued with the non-bailable warrant and the same was executed on 18.12.2024 through P.T. Warrant. He also submitted that the petitioner will undertake that hereafter he will regularly appear before the trial court on all hearing dates and also stated that he is prepared to comply with any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that totally 8 accused in this case and since the accused persons are absenting one by one and therefore there is no progress in the trial.

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



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5. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side, this Court is inclined to grant bail to the petitioner with certain 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 **Judicial Magistrate, Uthangarai, Krishnagiri District** 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 concerned Judicial Magistrate on all working day 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;



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

04.11.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.



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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

1. Judicial Magistrate, Uthangarai, Krishnagiri District
2. The Inspector of Police,
Uthangarai Police Station,
Krishnagiri District.
3. The Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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