



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No. 30851 of 2025

Mohan @ Mohan Kumar

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Oragadam Police Station
Kancheepuram District
Crime No. 315 of 2006
PRC.No. 31 of 2009

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in PRC.No. 31 of
2009 on the file of respondent police.

For Petitioner : Mr.B.Gopalakrishnan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
13.10.2025, for the offences punishable under Sections 394 & 307 of IPC in
PRC.No. 31 of 2009, registered on the file respondent police, seeks bail.



2. The allegation against the petitioner is that earlier this petitioner was not arrested and released on bail for the offences punishable under Sections 394 & 307 of IPC. Thereafter, the case is pending in PRC stage and no summon could be served to the petitioner due to change of address and thereafter, NBW was issued to the petitioner on 18.06.2024 and the same was executed on 14.10.2025.

3. The learned counsel for the petitioner submitted that the petitioner was served with summon and subsequently, NBW was issued to him and he was available in the very same address. He further submits that the petitioner is in judicial custody from 13.10.2025. He further submits that the petitioner is ready to abide any condition imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submits that now, the case was assigned in S.C.No. 158 of 2025 on the file of Principal District and Sessions Judge, Kancheepuram District. He further submits that the petitioner has no previous case and he opposed for grant of bail to the petitioner.



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

6. Considering the fact that the period of incarceration undergone by the petitioner; that the petitioner has no previous antecedents, 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.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate, Sriperumpudur, Kancheepuram**, 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] **that the petitioner shall report before the Trial Court everyday at 10:30 a.m., for a period of two weeks and thereafter, appear regularly on the all hearing dates.**

[c] 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];

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

09.12.2025

MSM

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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

WEB COPY

1. The Judicial Magistrate,
Sriperumpudur, Kancheepuram.
2. The Superintendent, Central Prison,
Vellore.
3. The Public Prosecutor
High Court of Madras.
4. The Inspector of Police,
Oragadam Police Station
Kancheepuram District
Crime No. 315 of 2006



WEB COPY



K.RAJASEKAR J.

MSM

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