



WEB COPY

CRL A No. 1746 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL A No. 1746 of 2025

AKBAR

S/o.Kamal Basha,
No.26, Nannumiyan 2nd Street,
Tirupattur Town and District.

Appellant(s)

Vs

1. The State Rep by, The Deputy
Superintendent of Police,
Tirupatuur, Tirupatuur District.

2.The Inspector of Police,
Yelagiri Police Station, Vellore District,
Tirupattur District. Cr.No.6/2013.

3.V.Kumar
S/o.Vellaiyan, Muthanoor Village,
Yelagiri Hills, Tirupattur Taluk,
Tirupattur District.

Respondent(s)

CRL A No. 1746 of 2025

PRAYER

To set aside the order passed by the Learned Sessions Division of Tirupattur, Tirupattur District in CrI.M.P.No.1491/2025 dated 30.10.2025 and enlarge the appellant on bail in Spl.S.C.No.152/2024 pending on the file of the court.

For Appellant(s): Mr. E.Kannadasan



For Respondent(s): Mr.V.Meganathan,
Govt. Advocate (Crl. Side)
For R1 And R2

R3 - No appearance

ORDER

This Criminal Appeal has been filed as against the order made in Crl.M.P.No.1491 of 2025 dated 30.10.2025 on the file of the Sessions Division of Tirupattur, Tirupattur District, thereby dismissing the petition for bail.

2.Heard the learned counsel appearing for the appellant and the learned Government Advocate (Crl. Side) for the respondents 1 and 2 and perused the materials placed before this Court.

3.The appellant is arrayed as 4th accused in Crime No.6 of 2013 on the file of the second respondent, registered for the offences punishable under Sections 147, 294(b), 352, 506(i) of I.P.C. And 3 (1)(v), 3(1)(x) SC/ST (PoA) Act, 1989.

4.. It is a case of jumped bail. The petitioner was arrested and remanded to judicial custody on 07.10.2025 pursuant to the non-bailable warrant issued against him.

5. The learned counsel appearing for appellant would submit that the petitioner was earlier granted bail and thereafter, he was regularly appearing before the trial Court. However, he was unable to appear before the Court and subsequently, the learned Magistrate issued non bailable warrant against the petitioner on 16.06.2025, thereby he had voluntarily surrendered before trial court for recall of NBW pending against him and filed a recall petition, but the same was dismissed by the trial court. Aggrieved over the same, he preferred



this Criminal Appeal.

WEB COPY

6. Learned Government Advocate (Criminal Side) would submit that the absconding charge sheet was filed and now the final report was filed.

7. After registration of FIR as against the appellant, earlier the appellant was arrested and remanded to judicial custody and he was also granted bail. After filing of final report, summons were served on the petitioner to appear before the court on 16.06.2025, but due to death of his relative, he failed to appear on that day. Accordingly, the trial court issued a non-bailable warrant against him. Thereafter, the appellant filed a petition to recall NBW before the Sessions Division of Tirupattur in Crl.M.P.No.1491 of 2025 and the same was dismissed. Hence, the appellant filed the present appeal seeking bail.

8. On seeing the facts, it reveals that as on date, the absconding charge sheet was filed and now the final report was also filed. Considering that and considering the above facts and circumstances and also the period of incarceration undergone by the appellant from the date of his arrest i.e., 07.10.2025, this Court is inclined to grant bail to the appellant. Accordingly, the order made in Crl.M.P.No.1491 of 2025 dated 30.10.2025 on the file of the Sessions Division of Tirupattur, Tirupattur District is hereby set aside. This Criminal Appeal stands allowed.

9. The appellant is ordered to be released on bail on his execution of a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each, **in which one surety must be a blood surety**, for a like sum to the satisfaction of the Learned Sessions Division of Tirupattur, Tirupattur District



and on further conditions that:

WEB COPY

[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 appellant shall report before the respondent police **on every Saturday at 10.30 a.m., for the period of three months** and he shall cooperate with the trial proceedings.

[c] the appellant shall not abscond either during investigation or trial.

[d] the appellant shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the appellant in accordance with law as if the conditions have been imposed and the appellant 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 abscond, a fresh FIR can be registered under Section 229A IPC.

21-11-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



rpp

To

WEB COPY

1. Sessions Division of Tirupattur, Tirupattur District
2. The Deputy Superintendent of Police,
Tirupattur, Tirupattur District.
3. The Inspector of Police,
Yelagiri Police Station, Vellore District,
Tirupattur District.
4. The Superintendent of Prison,
Central Prison, Vellore.
5. The Public Prosecutor,
High Court, Madras.



WEB COPY

CRL A No. 1746 of 2025



T.V.THAMILSELVI J.

rpp

CRL A No. 1746 of 2025

21-11-2025