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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.34485 of 2025

Kathiravan

Petitioner

Vs

The State Represented by
The Inspector of Police,
Kamanaickenpalayam Police Station,
Tiruppur District.
Crime No.116 of 2021.

Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner in Crime No.116 of 2021 on the file of the respondent police.

For Petitioner:

Mr.A.Saranraj

For Respondent:

Mr.A.Gopinath
Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody

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on 03.05.2025 for the alleged offence punishable under Sections 279, 304(ii) of IPC, in Crime No.116 of 2021 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that he caused death to the defacto complainant's brother due to rash and negligent driving. Hence a case was registered. Subsequently, he was arrested and released on bail. He failed to appear before the Trial Court on 18.02.2025 and absconded, pursuant to which a non bailable warrant was issued and on execution of NBW, the petitioner was arrested and remanded to judicial custody on 03.05.2025.

3. Learned counsel appearing for the petitioner submitted that the petitioner is in judicial custody since 03.05.2025. He further submitted that due to illness, the petitioner was unable to appear before the trial Court on 18.02.2025, which resulted in the issuance of a non-bailable warrant against him. He further submitted that he is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that the



petitioner has jumped bail for the second time and that he was earlier granted bail. He further submitted that the case is now posted for examination of investigating officer. Hence, he opposed to grant bail to the petitioner.

5. Considering the allegations levelled against the petitioner, the fact that he had earlier been granted bail, the stage of the case and also considering the period of his incarceration, 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 her 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 Subordinate Judge, Tiruppur*, and on further conditions that:-

[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 petitioner shall report before the concerned Court daily at 10.30 a.m., for a period of four



**weeks and thereafter as and when required for
interrogation.**

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

[d] the petitioner shall not tamper with the
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 petitioner in accordance with
law as if the 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)AIR SCW 5560];

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

17.12.2025

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Note:

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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. The Subordinate Judge,
Tiruppur.
2. The Inspector of Police,
Kamanaickenpalayam Police Station,
Tiruppur District.
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.,

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