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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.33128 of 2025

Madhavan

Petitioner

Vs

The State Represented by
The Inspector of Police,
Palladam Police Station,
Tiruppur.
Crime No.785 of 2023.

Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner in Crime No.785 of 2023 on the file of the respondent police.

For Petitioner:

Mr.S.Manoj Vasanth

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 23.10.2025 for the alleged offence punishable under Section 399 of IPC and Section 25(1-A) of Arms Act, in Crime No.785 of 2023 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that he was involved in the offences under Section 399 of IPC and Section 25(1-A) of Arms Act, 1959. Earlier, the petitioner was arrested and released on bail. Subsequently, he failed to appear before the Trial Court on 18.09.2025, pursuant to which a nonailable warrant was issued and on execution of NBW, the petitioner was arrested and remanded to judicial custody on 23.10.2025.

3. Learned counsel appearing for the petitioner submitted that the petitioner is in judicial custody since 23.10.2025. He further submitted that due to illness, the petitioner was unable to appear before the trial Court on 18.09.2025, which resulted in the issuance of a non-ailable 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 there are



totally eight accused in this case and the petitioner herein is ranked as A8.

He further submitted that the petitioner has five previous cases against him and that due to his continuance abscondence, the trial has not progressed. Hence, he opposed to grant bail to the petitioner.

5. This Court on perusal of the report submitted by the trial Court in this regard, which reveals that the petitioner had earlier attempted to seek bail on three occasions and that non-bailable warrants were issued against him. It is also stated that the petitioner's non co-operation has resulted in the trial not progressing.

6. Considering the nature of the offences alleged against the petitioner, the period of his incarceration, though it is stated that the petitioner has five previous cases, 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 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 Principal District and Sessions Court, 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];



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[f] If the accused thereafter absconds, a fresh FIR can be

registered under Section 269 B.N.S.

17.12.2025

drl

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

1. The Principal District and Sessions Court,
Tiruppur,
2. The Inspector of Police,
Palladam Police Station,
Tiruppur.
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court, Madras.

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K.RAJASEKAR, J.,

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