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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.34161 of 2025

Shanmugam @ Shanmuganathan

Petitioner

Vs

The State Represented by

The Inspector of Police,
H-6 Dr.Radhakrishnan Nagar Police Station,
Chennai District.
Crime No.762 of 2023.

Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner in Crime No.762 of 2023 on the file of the respondent police.

For Petitioner:

Mr.A.Samson

For Respondent:

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

ORDER

The petitioner, who was arrested and remanded to judicial custody

Page 1 of 6

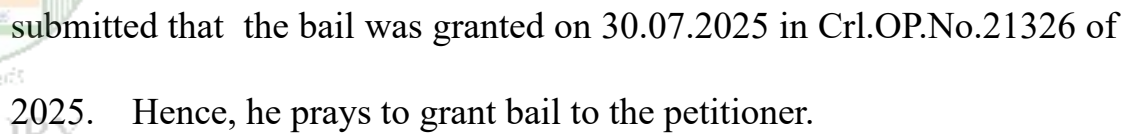


on 22.08.2025 for the alleged offence punishable under Sections 342, 302, 506(ii) of IPC, in Crime No.762 of 2023 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner in this case is that the petitioner was earlier arrested and released on bail. Subsequently, the petitioner did not appear before the trial Court, as a result of which NBW was issued against him on 17.07.2025 and he is judicial custody from 22.08.2025.

3. Earlier, this Court dismissed the bail petition in CrI.OP.No.30149 of 2025 dated 05.11.2025, on the ground that the petitioner was involved in 17 previous cases and it was a case of jumped bail.

4. Today, the learned counsel appearing for the petitioner submitted that the petitioner was not absconding and that he was arrested in connection with another case in S.C.No.347 of 2021 on the file of III Additional Sessions Court, Chennai. Dated 01.07.2025. He further submitted that since the petitioner was already in judicial custody in connection with the said case, he could not appear before the Trial Court on 17.07.2025, pursuant to which the NBW came to be issued. He further



6. Considering the above facts and circumstances of the case, nature of allegations and considering the period of incarceration, 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 X Additional Sessions Judge, Chennai* 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 three weeks, except on Tuesday.

[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.

15.12.2025

drl



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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 X Additional Sessions Judge,
Chennai.
2. The Inspector of Police,
H-6 Dr. Radhakrishnan Nagar Police Station,
Chennai District.
3. The Superintendent,
Central Prison, Puzhal-II, Chennai.
4. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.,

drl

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