



WEB COPY



Crl.O.P.No.36143 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.12.2025

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.36143 of 2025

Prem @ Premkumar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
K-9, Thiru Vi Ka Nagar Police Station,
Chennai District
Crime No.306 of 2023.

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleaded to enlarge the petitioner on bail pending trial, in S.C.No.225 of 2024
on the file of the XVII Additional District and Sessions Judge, Chennai.

For Petitioner : Mr.S.Sasikumar

For Respondent : Mr.S.Vinothkumar
Government Advocate (Crl.Side)

ORDER

The petitioner seeks bail in S.C.No.225 of 2024 in Crime No.306 of 2023 pending on the file of XVII Additional District and Sessions Judge, Chennai, for the offence punishable under Sections 147, 148, 294(b), 324, 326, 307 IPC r/w 149 IPC. The petitioner has been remanded to judicial



Crl.O.P.No.36143 of 2025

custody on 03.11.2025 on execution of NBW issued against him on 15.10.2025.

2.Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in S.C.No.225 of 2024 on the file of XVII Additional District and Sessions Judge, Chennai. He further submitted that since the petitioner was unable to appear before the trial Court, he was issued with the non-bailable warrant on 15.10.2025, and pursuant to the same, he was arrested on 03.11.2025. He also submitted that the petitioner will undertake that hereafter he will regularly appear before the trial court on all hearing dates and also stated that he is prepared to comply with any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that since the petitioner, facing trial in S.C.No.225 of 2024 on the file of the XVII Additional District and Sessions Judge, Chennai, Chennai, has failed to appear before the trial Court and therefore, the trial Court has issued a NBW against the petitioner on 15.10.2025, and pursuant to



CrI.O.P.No.36143 of 2025

which, he was arrested and remanded to judicial custody on 03.11.2025.

WEB COPY

Hence, he oppose for grant of bail to the petitioner.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) and perused the materials available on record.

5. Considering the fact that since the petitioner was arrested and kept under judicial custody in another case, he could not appear before the trial Court on 15.10.2025, and therefore, NBW was issued against him and thereafter, the same was executed, and considering the period of incarceration undergone by the petitioner and the fact that now the case has been posted for framing of charges and also considering the undertaking given by the petitioner that he is ready to co-operate for speedy disposal of the trial, 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 his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, each for a like sum to the satisfaction of the XVII Additional District and Sessions Court, Chennai, and on further conditions



CrI.O.P.No.36143 of 2025

that :-

[a] the petitioner shall report before the Trial Court, on all working days at 10.30 a.m., until further orders, without fail.

[b] the petitioner shall not commit any offences of similar nature.

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

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

[e] On breach of any of the aforesaid conditions, the learned Judicial 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 BNS.

30.12.2025

Anu



CrI.O.P.No.36143 of 2025

To

WEB COPY

- 1.The XVII Additional District and Sessions Court, Chennai
- 2.The Inspector of Police,
K-9, Thiru Vi Ka Nagar Police Station,
Chennai District
- 3.The Superintendent,
Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.36143 of 2025

P.DHANABAL, J.

Anu

Crl.O.P.No.36143 of 2025

30.12.2025