



WEB COPY



Crl.O.P.No.35754 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.12.2025

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.35754 of 2025

Balamurugan

... Petitioner

Vs.

The State Rep by
The Inspector of Police
Chithode Police Station
Erode District.
Crime No.121 of 2020.

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., 2023 to enlarge the petitioner on bail, pending trial, in connection with the case in S.C.No.49 of 2021 on the file of the II Additional District Court, Erode.

For Petitioner : Mr.M.Karthik

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



WEB COPY



Crl.O.P.No.35754 of 2025

ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.11.2025, for the alleged offences punishable under Sections 147, 302 r/w 34 of IPC, in Crime No.121 of 2020, on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that the petitioner is an accused facing trial in S.C.No.49 of 2021 on the file of the learned II Additional District Court, Erode & District. He further submitted that due to illness, he was unable to appear before the trial Court, and he was issued with the non-bailable warrant and pursuant to the same, he was arrested on 18.11.2025. 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. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner is facing trial in S.C.No.49 of



CrI.O.P.No.35754 of 2025

2021 on the file of the learned II Additional District Court, Erode, has failed

to appear before the trial Court, the trial Court has issued a NBW against the petitioner and based on which, petitioner was remanded to judicial custody on 18.11.2025. However, he vehemently opposed to grant of bail to the petitioner.

4. Heard both sides and perused the materials available on record including the First Information Report.

5. Considering the nature of allegations, already petitioner was granted bail and due to his non-appearance, NBW was executed and the petitioner was arrested on 18.11.2025 and already investigation has been completed and the case is posted for trial, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

[a] 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 II Additional District Court, Erode** and on further conditions that:-



CrI.O.P.No.35754 of 2025

[b] the petitioner shall report before the Trial Court on all working

days at 10.30.a.m., until further orders;

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

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

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

26.12.2025

dna/rsi
4/6



WEB COPY



CrI.O.P.No.35754 of 2025

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 II Additional District Court, Erode.
2. The Inspector of Police
Chithode Police Station
Erode District.
Crime No.121 of 2020.
3. The Superintendent,
Sub Jail, Gobichettipalayam.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.35754 of 2025

P.DHANABAL, J.

dna/rsi

Crl.O.P.No.35754 of 2025

26.12.2025