



WEB COPY

CRL OP No. 35464 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35464 of 2025

1. Velmurugan
S/o. Murugesan, Arunthadhiyar Street,
Olaiyur Village, Andimadam Taluk,
Ariyalur District.

Petitioner(s)

Vs

1. The State Rep.by, The Inspector of
Police,
Kunnam Police Station, Cr.No.81 of
2020.

Respondent(s)

PRAYER

To enlarge the petitioner on bail in connection with Spl.S.C.No.25 of 2022 on the file of the Honble Sessions Judge Mahila Court, Perambalur.

For Petitioner(s): R.Prabakar

For Respondent(s): Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested on NBW and remanded to judicial custody on 17.11.2025, for the alleged offence punishable under Sections 5(1), 5(j)(ii), 6 of POCSO Act, 2012 in Crime No.81 of 2020, on the file of the respondent police, seeks bail.



2.It is a case of jumped bail. The petitioner is facing trial in S.C No.25 of 2022 on the file of the Sessions Judge, Mahila Court, Perambalur for the offences under Section 5(1), 5(j)(ii), 6 of POCSO Act, 2012. Since the petitioner did not appear before the learned Sessions Judge, Mahila Court, Perambalur on 05.11.2025, the learned trial Judge issued Nonailable Warrant against the petitioner and pursuant to which, the petitioner was arrested and remanded to custody and now he has approached this Court seeking for bail.

3.The learned counsel for the petitioner would submit that earlier the petitioner was granted bail and thereafter, he was regularly appearing before the court and that due to the acute viral fever, he was hospitalized and he was unable to attend the court and therefore, Nonailable Warrant was issued against him on 05.11.2025, pursuant to which he was arrested and remanded on 17.11.2025. He would further submit that the petitioner also undertakes to appear before the trial court on all hearing dates without any default. Therefore, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that due to non appearance of the petitioner, Nonailable Warrant was issued and the petitioner



was arrested and remanded to judicial custody on 17.11.2025 and the case is posted for examination of witnesses. He further submitted that all the other accused are regularly appearing before the trial Court and due to the absence of the petitioner, the trial is stalled. Hence, he opposed to grant bail to the petitioner.

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

6. Considering the rival submissions made by the learned counsel on either side, the nature of the offence, already bail was granted to the petitioner and then absconded, due to his non appearance, Non Bailable Warrant was issued and on execution he has been in custody and also considering the period of incarceration by the petitioner and the undertaking given by him, 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 Sessions Judge Mahila Court, Perambalur, and on further conditions that:-



WEB COPY

[b] the petitioner shall report before the POCSO 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

mpa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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 Sessions Judge Mahila Court, Perambalur.

2. The State Rep.by, The Inspector of Police,
Kunnam Police Station, Cr.No.81 of 2020.

3. The Superintendent, Central Prison, Trichy.

4. The Public Prosecutor
High Court of Madras.



WEB COPY

CRL OP No. 35464 of 2025



P.DHANABAL J.
mpa/at

**CRL OP No. 35464 of
2025**

26-12-2025