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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.12.2025

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

Crl.O.P.No.35459 of 2025

Sathish @ Ajay

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
E-4 Abiramapuram Police Station,
Chennai District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
2023 to enlarge the petitioner on bail in S.C. No.349 of 2025 pending on the
file of learned XVII Additional Judge, City Civil Court, Chennai.

For Petitioner : Mr.P.Muthamizh Selvakumar

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

ORDER

The petitioner seeks bail in S.C.No.349 of 2025 pending on the file of
XVII Additional Sessions Court, Chennai, for the offence punishable under
Sections 126(2), 296(b), 115(2), 109(1), 351(3), 54 r/w 3(5) of IPC. The
petitioner has been remanded to judicial custody on 23.10.2025 on execution
of NBW issued against him on 12.09.2025.



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2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in S.C.No. 349 of 2025 on the file of XVII Additional Sessions Court, 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 12.09.2025, and pursuant to the same, he was arrested on 23.10.2025. 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.349 of 2025 on the file of XVII Additional Sessions Court, Chennai, has failed to appear before the trial Court and therefore, the trial Court has issued a NBW against the petitioner on 12.09.2025, and pursuant to which, he was arrested and remanded to judicial custody on 23.10.2025. Hence, he oppose for grant of bail to the petitioner.



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

5. Considering the fact that bail was already granted to the petitioner and thereafter NBW was issued and thereafter, the same has been executed and considering the period of incarceration undergone by the petitioner and also considering the fact that after completion of investigation, final report has also been filed and now the case is posted for trial 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 Judge, City Civil Court, Chennai, and on further conditions that :-

[a] **the petitioner shall report before the Trial Court on all working days at 10.30 a.m. until further orders.**



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[b] 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;

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

[d] 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;

[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].



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

26.12.2025

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 XVII Additional Judge,
City Civil Court, Chennai.

2.The Inspector of Police,
E-4 Abiramapuram Police Station,
Chennai District.

3.The Superintendent,
Central Prison, Puzhal, Chennai.

4.The Public Prosecutor,
High Court of Madras.

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P.DHANABAL, J.

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