



WEB COPY

CRL OP No. 35928 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35928 of 2025

1. Thangaraj
S/o.Muniyandi, Residing at Door
No.165-A D Travels bungalow
Opposite, Manamadurai Taluk,
Sivagangai District,

Petitioner(s)

Vs

1. The State Rep By Its
The Inspector of Police,
Avinashi police Station,
Avinashi
Tiruppur District
Cr.No.150 of 2016

Respondent(s)

PRAYER

To enlarge the petitioner on bail in S.C.No.123 of 2025 on the file of the Learned Principal Sessions Judge, Tiruppur in Cr.No.150 of 2016 on the file of the Inspector of Police, Avinashi Police Station, Tiruppur District.

For Petitioner(s): Mr.N.Thamizhanban

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 25.09.2024, for the alleged offence punishable under Sections 457, 395 & 397 of IPC in Crime No.150 of 2016, on the file of the respondent police, seeks bail.

2.It is a case of jumped bail. The petitioner is facing trial in SC.No.123 of 2025 on the file of the learned Principal Sessions Judge, Tiruppur, for the offences under Sections 457, 395 & 397 of IPC. Since the petitioner did not appear before the learned Principal Sessions Judge, Tiruppur on 21.11.2023, the learned Trial Judge issued Nonailable Warrant against the petitioner and pursuant to which, the petitioner 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 unavoidable circumstances he was unable to attend the court and therefore, Nonailable Warrant was issued against him on 21.11.2023, pursuant to which he was arrested and remanded on



25.09.2024. 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, Non Bailable Warrant was issued and the petitioner was arrested and remanded to judicial custody on 25.09.2024. He further submitted that due to the absence of the petitioner, the trial is stalled. Further, some of the witnesses have been examined. 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, and also considering the period of incarceration by the petitioner 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 Principal Sessions Judge, Tiruppur, and on further conditions that:-

[b] the petitioner shall report before the learned Principal Sessions Judge, Tiruppur, 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.

kan

26-12-2025

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 official website of this Court will be watermarked and will also have a QR code.



To

WEB COPY

1.The Inspector of Police,
Avinashi Police Station,
Avinashi
Tiruppur District
Cr.No.150 of 2016

2.The Principal Sessions Judge,
Tiruppur

3.The Public Prosecutor,
Madras High Court,
Chennai.



WEB COPY

CRL OP No. 35928 of 2025



P.DHANABAL J.

kan

CRL OP No. 35928 of 2025

26-12-2025