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CRL O.P. No.36160 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.12.2025

CORAM

THE HON'BLE Mr.JUSTICE P.DHANABAL

CRL OP.No.36160 of 2025

Vijay @ Authu Vijay S/o.Arcokiasamy

... Petitioner/Accused

Vs

State represented by:

The Inspector of Police,
Jolarpet Police Station,
Chennai District.

[Cr. No.397 of 2019]

.... Respondent/ Complainant

PRAYER: - The Criminal Original Petition is filed under Section 483 of B.N.S.S., praying to grant bail to the petitioner / Accused in Cr.No.397 of 2019 on the file of the respondent police.

For Petitioner	: Mr.T.I.Ramanathan
For Respondent	: Mr. S.Vinoth Kumar, Government Advocate (Crl. Side)

ORDER

The petitioner/Accused, who was arrested on 16.11.2024 and remanded to judicial custody on the same day by the execution of NBW for the offences punishable under Sections 302 r/w 201 of IPC, in Cr.No.397 of 2019 on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that the petitioner was earlier arrested and released on bail and thereafter, appeared in the Court of Session after committal in S.C.No.78 of 2022. On 25.07.2023, the petitioner was absent and a Non-Bailable Warrant was issued and it was executed on 16.11.2024. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that on 25.07.2023, the petitioner got some health issues and he could not able to appear before the Court and NBW was issued against him. He further submitted that the petitioner is ready and willing to furnish substantial sureties for his due release and to abide by any conditions that may be imposed by this Hon'ble Court and therefore, he prays to grant bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting bail to the petitioner by stating that the petitioner was earlier arrested and released on bail and thereafter, appeared in the Court of Session after committal in S.C.No.78 of 2022. On 25.07.2023, the petitioner was absent and hence, Non Bailable



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Warrant was issued and executed on 16.11.2024. He would further submit that the investigation is pending and there is no previous case as against the petitioner.

5.Heard both sides and perused the materials available on record.

6.Considering the representations made on both sides and considering the nature of offence and the fact that the Non Bailable Warrant was issued and executed on 16.11.2024 and the case was posted for trial before the trial Court and also considering the period of incarceration of the petitioner from 16.11.2024, I am inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the learned **Principal District and Sessions Judge, Tirupathur**, and on further conditions that:



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[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 was 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 them 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



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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 B.N.S.2023.

30.12.2025

Index: Yes/No

Neutral Citation : Yes/No
ssa/gya

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

- 1.The Principal District and Sessions Judge, Tirupathur.
- 2.The Public Prosecutor, Madras High Court, Chennai.
- 3.The Inspector of Police, Jolarpet Police Station, Chennai.
4. The Superintendent, Central Prison-II, Puzhal.



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P.DHANABAL, J.

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