



WEB COPY



Crl.O.P.No.36128 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 36128 of 2025

1. Surya
S/o.Murugesan,
No.5/190, Seenivasapalayam
Palayavalavu, Tiruchengode,
Karuveppampatti
Namakkal District -637304
Now at 5/175, Mariyamman Kovil
street, Kandasamy Nagar,
Devanankurichi, Tiruchengode,
Namakkal District

Petitioner(s)

Vs

State rep by
The Inspector of Police,
Tiruchengode Rural Police Station,
Namakkal District.
(Crime No.24 of 2024).

Respondent(s)

PRAYER :To enlarge the Petitioner on bail in S.C.No.112 of 2024 on the file of the II Additional Sessions Judge, Tiruchengode, Namakkal District.



WEB COPY



Crl.O.P.No.36128 of 2025

For Petitioner(s): Mr.N. Arun Kumar

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

ORDER

The petitioner seeks bail in S.C.No.112 of 2024 in Crime No.24 of 2024 on the file of the learned II Additional Sessions Judge, Tiruchengode, Namkkal District, for the offences under Sections 294(b) and 395 of IPC r/w. 3(1) of Tamilnadu Public Property (Prevent of Damage and Loss) Act, 1992. The petitioner has been remanded to judicial custody on 11.08.2025 on execution of NBW issued against him on 16.06.2025.

2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in S.C.No.112 of 2024 in Crime No.24 of 2024 on the file of the learned II Additional Sessions Judge, Tiruchengode, Namkkal District. He further submitted that since the petitioner was unable to appear before the trial Court, he was issued with the non-bailable warrant on 16.06.2025, and pursuant to the same, he was arrested on 11.08.2025. He also submitted that the petitioner will undertake that



Crl.O.P.No.36128 of 2025

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.112 of 2024 in Crime No.24 of 2024 on the file of the learned II Additional Sessions Judge, Tiruchengode, Namkkal District, has failed to appear before the trial Court and therefore, the trial Court has issued a NBW against the petitioner on 16.06.2025, and pursuant to which NBW issued against the petitioner, he was arrested and remanded to judicial custody on 11.08.2025. Hence, he oppose for grant of bail to the petitioner.

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



CrI.O.P.No.36128 of 2025

WEB COPY

5. Considering the fact that bail was already granted to the petitioner and thereafter NBW was issued and immediately, the same has been executed and considering the fact that after completion of investigation, final report has also been filed and now the trial has also been commenced 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 learned II Additional Sessions Judge, Tiruchengode, Namkkal District, and on further conditions that :-

[a] the petitioner shall report before the Trial Court, everyday at 10.30 a.m., until further orders, without fail.

[b] the petitioner shall not commit any offences of similar nature.

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



Crl.O.P.No.36128 of 2025

trial.

WEB COPY

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[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].

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

30.12.2025

mtl

To

- 1.The II Additional Sessions Court, Tiruchengode, Namkkal District.
2. The Inspector of Police, Tiruchengode Rural Police Station, Namakkal District.
- 3.The Superintendent, Central Prison, Salem.
- 4.The Public Prosecutor, High Court of Madras.

5/6



WEB COPY



Crl.O.P.No.36128 of 2025

P.DHANABAL, J.

mtl/rna

Crl.O.P.No.36128 of 2025

30.12.2025