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CRL OP No. 35848 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

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THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35848 of 2025

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Petitioner(s)

Vs

State Rep. by
Inspector of Police, Sriperumbudur
Police Station, Kancheepuram
Crime No.430 of 2023

Respondent(s)

PRAYER

The Criminal Original Petition is filed under Section 483 of B.N.S.S., to enlarge the petitioner on bail in SC No.139 of 2024 pending trial before the learned Additional District and Sessions Court (FTC) at Kancheepuram.

For Petitioner(s): Mr.V.Premkumar

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 28.06.2025, seeking bail in Crime No.430 of 2023 registered for the offences under Section 399 of IPC r/w Section 25(1-A) of Arms Act.



2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in SC.No.139 of 2024 on the file of the learned Additional District and Sessions Court (FTC), Kancheepuram. He further submitted that since the petitioner was ill, he was unable to appear before the trial Court, and he was issued with the non-bailable warrant on 05.11.2024 and pursuant to the same, he was arrested on 29.08.2025. 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, while opposing the grant of bail to the petitioner, reiterated the prosecution case and due to non-appearance of the petitioner, the trial Court issued Non-Bailable Warrant and the same was executed and now the case is posted for examination of witnesses.

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



5. Considering that already bail was granted to the petitioner and thereafter due to his absence, Non-Bailable warrant was issued and the same was executed, the petitioner has no previous criminal antecedents and the period of incarceration undergone by him and that now, the case is pending for examination of witnesses 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:

[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 each for a like sum to the satisfaction of the **Learned Additional District Judge, Kancheepuram**, and on further conditions that:

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m. until further orders;

[c] the petitioner shall not commit any offence similar to the offence of which she is accused, or suspected, or of the commission of which she 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



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the facts of the case so as to dissuade her 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 B.N.S.2023.

26-12-2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
Jeni/rpl

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 Additional District Judge, Kancheepuram.
2. The Superintendent, Central Prison, Vellore.
- 3..The Public Prosecutor, Madras High Court, Chennai.
4. The Inspector of Police Sriperumbudur Police Station, Kancheepuram.



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P.DHANABAL J.

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