



Crl.O.P.No.1240 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2026

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.1240 of 2026

R.Balamurugan

... Petitioner/ Accused

Vs.

The State represented by
The Inspector of Police,
Krishnagiri Taluk Police Station,
Krishnagiri District.
(Crime No.405 of 2018)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.405 of 2018 pending on the file of the respondent Police.

For Petitioner : Mr.V.Manimaran

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
18.02.2025, pursuant to the Non-Bailable Warrant issued in C.C.No.147 of
2018 on the file of the Judicial Magistrate No.II, Krishnagiri for the offence
punishable under Sections 392 of IPC in Crime No.405 of 2018, registered on
the file of the respondent, seeks bail.



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2. The case of the prosecution is that due to non-appearance before the trial Court on 13.02.2020, NBW was issued against the petitioner on 13.02.2020 and the same was executed on 07.03.2025. Hence, the case.

3. This is the fifth bail petition filed by the petitioner. Earlier this Court earlier dismissed the petitioner's bail petitions on the ground that there is no progress in the trial and also considering the fact that the petitioner was absconding for five years. Now, the learned counsel appearing for the petitioner submitted that, in two other cases, in which petitioner was facing prosecution was quashed by this Court. Hence, he prays for grant of bail to the petitioner.

4. Considering the fact that two other cases was quashed, in which the petitioner was facing prosecution and also the considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions:



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5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Krishnagiri** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;



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[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

22.01.2026

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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.



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To

1. Judicial Magistrate No.II, Krishnagiri.
- 2.The Inspector of Police,
Krishnagiri Taluk Police Station,
Krishnagiri District.
- 3.The Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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