



WEB COPY

Crl.O.P.No.5472 of 202



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **04-03-2026**

CORAM

THE HONOURABLE MR JUSTICE C. KUMARAPPAN

CRL OP NO.5472 of 2026

Surya

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
E-4, Abiramapuram Police Station,
Chennai.
(Crime No.759 of 2021)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in S.C.No.336 of 2023 on the file of the XVII Additional District and Sessions Court, Chennai.

For Petitioner(s) : Mr. G. Nirmal Krishnan

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

ORDER



The petitioner was arrested on 10.06.2025, on execution of Non Bailable Warrant dated 14.03.2025 issued by the learned XVII Additional District and Sessions Judge, Chennai, for the offence punishable under Sections 302 read with 34, 201 of IPC, pending trial in S.C.No.336 of 2023 in respect of Crime No.759 of 2021 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that, he was earlier arrested in this case and subsequently released on bail. However, since he failed to appear before the Trial Court, a Non-Bailable Warrant (NBW) was issued against him. It later came to light that the petitioner has been arrested in another case and was in judicial custody, pursuant to a PT warrant. During that period, he could not appear before the Trial Court in the present case, therefore, the NBW was issued against the petitioner herein and the same was executed through a formal arrest while he was in prison in connection with the other case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been cooperating with the trial proceedings and has attended all the earlier hearings. He further submitted that the petitioner is ready to appear before the Trial Court and co-operate for the speedy disposal of the trial. Hence, he prays for grant of bail to the petitioner.



4. The learned Government Advocate (Crl.Side) appearing for the respondent police while opposing the bail to the petitioner submitted that, there are totally 6 accused involved in this case and the petitioner is arrayed as A6. He further submitted that the petitioner on earlier occasions did not appear before the Trial Court, hence NBW were issued against him on 04.09.2023 and 20.12.2023 and the same were executed through PT warrant on 02.11.2023 and 27.09.2024, respectively; that subsequently, the petitioner failed to appear before the Trial Court for hearing dates in this case, hence again a NBW was issued against the petitioner on 14.03.2025 and the petitioner was formally arrested and remanded to judicial custody on 10.06.2025. He also submitted that the petitioner has 15 previous cases and the trial of this case is in advanced stage, hence if the petitioner is enlarged on bail, it would hamper the trial process.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

C. KUMARAPPAN, J.

stn

6. From the submissions made by the learned Government Advocate (Crl. Side), it is seen that the petitioner herein is a habitual



offender and has 15 previous cases, including murder case, and the trial of this case is also in the advanced stage. In such a view, though the petitioner is in incarceration since 10.06.2025, it is not desirable to enlarge the petitioner on bail, since there is every possibility that it would hamper the trial process. Hence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this criminal original petition stands dismissed.

04.03.2026

stn

To

1. The XVII Additional District and Sessions Judge, Chennai.
2. The Inspector of Police,
E-4, Abiramapuram Police Station,
Chennai. (Crime No.759 of 2021)
3. The Public Prosecutor, High Court of Madras.

Crl.O.P. No.5472 of 2026