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Crl.O.P.No.1169 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21-01-2026**

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.1169 of 2026

S. Sudhir

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
B-1, North Beach Police Station,
Chennai – 600 001.
(Crime No.742 of 2017)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in C.C.No.640 of 2023 on the file of the VI Metropolitan Magistrate Court, Chennai.

For Petitioner(s) : M/s. G. Selvi George
For M/s. Majestic Law Firm

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.12.2025 based on execution of NBW dated 18.02.2025 in C.C.No.640 of 2023 on the file of the VI Metropolitan Magistrate Court, Egmore, Chennai for the offences punishable under Sections 341, 294(b), 323, 506(ii) of IPC, seeks bail.

2. The learned counsel appearing for the petitioner submitted that originally the petitioner was earlier arrested and released on bail and was regularly appearing before the Trial Court for the case in C.C.No.640 of 2023; that due to his employment, the petitioner moved from Chennai, hence he was unable to appear before the Trial Court in this case on 18.02.2025, hence a NBW was issued against the petitioner; that when the petitioner returned back and came to know about the NBW issued against him, he immediately taken steps to recall the warrant by filing an application under Section 70(2) of BNSS and voluntarily surrendered before the Trial Court on 18.12.2025, while seeking to recall the NBW; that however, the Trial Court dismissed the petition and subsequently, the petitioner was remanded to judicial custody on the same day; and that the



petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

3. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner submitted that the petitioner was on bail earlier, since he has not appeared before the Trial Court during the pendency of the trial, a NBW was issued and subsequently, he was arrested; that the trial is yet to be commenced.

4. Considering the submissions made on both sides, nature of offence, the fact that the petitioner had voluntarily surrendered before the Trial Court for recalling the warrant issued against him and taking note of the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties each** for a like sum to the satisfaction of the **learned VI Metropolitan Magistrate, Egmore, Chennai** and on further conditions that:



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[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 appear before the Trial Court concerned daily at 10:30 a.m., for a period of three weeks and thereafter, on all the hearing dates without fail;

[c] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

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

[e] the petitioner shall not abscond either during investigation or trial;

[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



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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.

21.01.2026

stn

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.

K. RAJASEKAR, J.



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To

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1. The VI Metropolitan Magistrate, Egmore, Chennai.
2. The Inspector of Police,
B-1, North Beach Police Station,
Chennai – 600 001.
(Crime No.742 of 2017)
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

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