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CrI.O.P.No.2831 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06-02-2026**

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.2831 of 2026

Muthurakku

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
Palladam Police Station,
Tiruppur District.
(Crime No.558 of 2013)

... 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.29 of 2014 pending trial on the file of the learned Judicial Magistrate, Palladam, Tiruppur.

For Petitioner(s) : Mr. S. Esakkimuthu

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 13.08.2025 based on execution of NBW dated 10.06.2025 in C.C.No.29 of 2014 pending trial on the file of the learned Judicial Magistrate, Palladam, Tiruppur for the offences punishable under Section 394 of IPC, seeks bail. This is the successive bail application of the petitioner and the earlier bail applications of the petitioner herein were dismissed by this Court, vide orders dated 31.10.2025 and 09.12.2025 in Crl.O.P.Nos.29727 and 33681 of 2025, respectively.

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.29 of 2014; that due to his ill health, the petitioner was unable to appear before the Trial Court on 10.06.2025, a NBW was issued against the petitioner and subsequently, he was arrested and remanded to judicial custody on 13.08.2025. He further submitted that earlier this Court while dismissing the earlier bail application of the petitioner, vide order dated 31.10.2025 in Crl.O.P.No.29727 of 2025 given liberty to the petitioner to renew his bail



application, if the trial is not concluded within period of two months; that however, the trial is not concluded yet; 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 there are totally four accused involved in this case and the petitioner herein is arrayed as A2; that the petitioner was on bail earlier in this case, 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 petitioner is having 12 previous cases; and that the trial is pending due to NBW pending against one of the accused (A4) in this case.

4. I have considered the submissions made on both sides and perused the materials available on record.

5. Though it is stated that the petitioner herein has 12 previous cases, considering the fact that the petitioner was earlier granted bail in this case and the trial is not progressing due to absconding of one of the



accused 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.

6. 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 Judicial Magistrate, Palladam, Tiruppur** 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 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;



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[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 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.

06.02.2026

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

K. RAJASEKAR, J.

stn



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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.

To

1. The Judicial Magistrate, Palladam, Tiruppur.
2. The Inspector of Police,
Palladam Police Station,
Tiruppur District.
(Crime No.558 of 2013)
3. The Superintendent,
District Jail, Ramanathapuram, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

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