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Crl.O.P.No.2112 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-01-2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.2112 of 2026

Bharathkumar

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
C-5 Kothaval Chavadi Police Station,
Chennai.
(Crime No.190 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.353 of 2022 on the file of the learned XV Additional District and
Sessions Judge at Chennai.

For Petitioner(s) : Mr. S. Karthick

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 09.12.2025 based on execution of NBW dated 12.09.2025 in S.C.No.353 of 2022 on the file of the learned XV Additional District and Sessions Judge at Chennai for the offences punishable under Sections 341, 392 r/w 397 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 S.C.No.353 of 2022; that since the petitioner was arrested and remanded to the judicial custody in connection with another case in S.C.No.257 of 2022 on the file of the V Additional Sessions Judge, Chennai, he was unable to appear before the Trial Court in this case on 12.09.2025, hence a NBW was issued against the petitioner and subsequently, he was arrested on 09.12.2025. He further submitted 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



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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 petitioner has 4 previous cases; that the case is posted for examination of witnesses on 03.02.2026.

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

5. Considering the submissions made, facts of the case, though it is stated that the petitioner herein has previous antecedents, he was already granted bail in this case, the fact that the petitioner was in custody in connection with another case, during the date of Trial Court hearing, on which the NBW was issued 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 XV Additional District and Sessions Judge at Chennai** 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., until further orders;

[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 Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13**



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

30.01.2026

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.

stn

To

1. The XV Additional District and Sessions Judge,

5/6



Chennai.

2. The Inspector of Police,
C-5 Kothaval Chavadi Police Station,
Chennai.
(Crime No.190 of 2021)

3. The Superintendent,
Central Prison, Puzhal, Chennai.

4. The Public Prosecutor,
High Court of Madras.

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