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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **03.02.2026**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.2121 of 2026

Surya

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Mambalam GRP Police Station,
Chennai District.
(Crime No.82 of 2023)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to
enlarge the petitioner on bail in SC.No.535 of 2023 pending on the file of X
Additional Session Judge, Chennai.

For Petitioner : Mr.A.Samson

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
13.10.2025, for the offence under Sections 302, 147, 148 and 120B in
SC.No.535 of 2023, pending on the file of X Additional Session Judge,
Chennai in connection with Crime No.82 of 2023, on the file of the respondent



police, seeks bail.

2. The allegation against the petitioner is that the petitioner was earlier arrested and released on bail. Subsequently, due to his arrest in another case, the petitioner failed to appear before the concerned trial Court, and hence Non-Bailable Warrant (NBW) was issued against him on 15.03.2025, and the same was executed on 13.10.2025.

3. Learned counsel appearing for the petitioner submitted that the petitioner was earlier arrested in this case and was regularly appearing before the Trial Court. Subsequently, he was arrested in another case and therefore, he was unable to appear before the Trial Court. He was thereafter produced before the concerned Court under a P.T. warrant, and the NBW was issued against him on 15.03.2025 and the same was executed on 13.10.2025. He further submitted that the petitioner is in judicial custody since 13.10.2025. Hence, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner failed to appear before the concerned Court on 15.03.2025, pursuant to which a NBW was issued against him. He further submitted that the petitioner is having 8 previous cases and all the cases are 454 and 381 of IPC. Hence, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.



6. Considering the submissions made by the learned counsel on either side, the nature of the allegations, and the fact that the petitioner was earlier granted bail and subsequently arrested in another case, due to which he was unable to appear before the concerned Court, and also considering the period of his incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, for a like sum to the satisfaction of the *learned X Additional Sessions Judge, Chennai*, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the Trial Court daily at 10.30 a.m., for a period of three weeks.

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

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the



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learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];

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

03.02.2026

drl

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.



To

1. The X Additional Session Judge,
Chennai.

2. The Inspector of Police,
Mambalam GRP Police Station,
Chennai District.

3. The Superintendent,
Sub Jail, Chengalpet.

4. The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

drl

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