



WEB COPY

CRL OP No. 2974 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-02-2026

CORAM

THE HON'BLE MR. JUSTICE K. RAJASEKAR

CRL OP No. 2974 of 2026

K.Periyasamy

..Petitioner(s)

Vs

State rep by the Inspector of Police

Erode South Police Station,

Erode.

Cr.No.555 of 2018

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 483 of BNSS to enlarge the petitioner on bail in S.C.No.32 of 2021 on the file of the II Additional District and Sessions Judge, Erode in Cr.No.555 of 2018 on the file of the respondent.

For Petitioner(s): Mr.S.Dhanasekaran

For Respondent(s): Mr.A.Gopinath, GA (Crl.Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 11.12.2025, seeks bail in S.C.No.32 of 2021 for the offence punishable under Sections 286, 304(2) of IPC and under Section 9(B)(1)(b) & 9(B)(1)(a) of



Explosives Act in connection with Crime No.555 of 2018, registered on the file of the respondent.

WEB COPY

2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in S.C.No.32 of 2021 on the file of the learned II Additional District and Sessions Judge, Erode. He further submitted that due to ill-health, petitioner was unable to appear before the trial Court, and the non-bailable warrant was issued, executed on 11.12.2025. He also submitted that the petitioner will undertake that hereafter he will regularly appear before the trial court on all hearing dates and also stated that he is prepared to comply with any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the case is now posted on 11.02.2026 and petitioner has no previous cases pending against him. Hence, he opposed for grant of bail to the petitioner.

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



5. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side and the fact that the petitioner has no previous cases, 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.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **II Additional District and Sessions Judge, Erode** 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 report before the concerned Judicial Magistrate on all working day at 10.30.a.m., for a period of two weeks and thereafter as and when required for interrogation;

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

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply



to the directions as may be given by the Court in this regard;

[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.

09-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

gbi

To

1. The Inspector of Police

Erode South Police Station, Erode.

2. The II Additional District and Sessions Judge, Erode.

3. The Central Prison, Coimbatore.

4. The Public Prosecutor,

High Court of Madras.



WEB COPY

CRL OP No. 2974 of 2



K.RAJASEKAR, J.

gbi

CRL OP No. 2974 of 2026

09-02-2026



WEB COPY

CRL OP No. 2974 of 2

