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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2026

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THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.3324 of 2026

R.SarathKumar

... Petitioner

Vs

The State rep. by,
The Inspector of Police,
R-2 Kodambakkam Police Station,
Chennai
(Crime No.225 of 2022)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused
pending trial in S.C.No.115 of 2023 on the file of the XVII Additional
District and Sessions Judge, Chennai

For Petitioner(s) : Mr. A. Krishnamurthy

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

ORDER

The petitioner was arrested and remanded to judicial custody on
04.12.2025 based on execution of NBW dated 22.01.2024 in S.C.No.115 of
2023 on the file of the XVII Additional District and Sessions
Judge, Chennai registered for the offences punishable under Sections
147,148,341,294(b), 324,447,398,427,506(ii) of IPC in Crime No.225 of
2022 on the file of the respondent police, seeks bail.



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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.115 of 2023 on the file of the XVII Additional District and Sessions Judge, Chennai and due to his non-appearance before the Trial Court issued NBW as against the petitioner on 22.01.2024 and subsequently, the petitioner was arrested on 04.12.2025. He further submitted due to his health condition the petitioner was not able to appear before the Trial Court on 22.01.2024. He further submitted that the offences registered against the petitioner are not heinous crime. However, the petitioner is also 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 grant of bail to the petitioner submitted that there are two previous cases pending against the petitioner. He further submitted that due to non-appearance of the petitioner in this case, NBW was issued against him. He also submitted that there are totally seven accused in this case and the accused were not co-operating with trial and absconding, due to which there was a delay in the trial process and now the



case is at the stage of committal. Hence he opposed for grant of bail to the petitioner.

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4.Considering the period of incarceration undergone by the petitioner and the fact that now the case is at the stage of committal, 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each** for a like sum to the satisfaction of the **learned XVII Additional Sessions Judge, 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., for a period of four weeks and thereafter, on all 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 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.

12.02.2026

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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 **XVII Additional Sessions Judge, Chennai**

2. The Inspector of Police,
R-2 Kodambakkam Police Station,
Chennai

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

4. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

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