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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2026

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THE HON'BLE MR. JUSTICE **K.RAJASEKAR**

Crl.O.P.No.4732 of 2026

Devid @ Allapitchai

... Petitioner

Vs.

State rep by
The Inspector of Police,
Tiruchengode Town Police Station,
Tiruchengode.
(Crime No.706 of 2010).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., 2023, to enlarge the petitioner on bail on the file pending before the learned II Additional Session Judge, Tiruchengode in S.C.No.59 of 2020 in Crime No.8 of 2026 on the file of the Inspector of Police, Tiruchengode Town Police Station.

For Petitioner : Mr.V.Karthick
For Respondent : Mr.A.Gopinath,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.08.2025, for the alleged offences punishable under Sections 120(B), 395, 395 r/w 397 of IPC, in Crime No.706 of 2010, pending in S.C.No.59 of 2020 on the file of the learned II Additional Session Judge, Tiruchengode, seeks bail.



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2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in S.C.No.59 of 2020 on the file of the learned II Additional Session Judge, Tiruchengode. He further submitted that due to illness, he was unable to appear before the trial Court, and he was issued with the non-bailable warrant and pursuant to the same, he was arrested on 25.08.2025. 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. The learned Government Advocate (CrI.Side) appearing for the respondent police submitted that the petitioner is facing trial in S.C.No.59 of 2020 on the file of the learned II Additional Session Judge, Tiruchengode, has failed to appear before the trial Court, the trial Court has issued a NBW against the petitioner and based on which, petitioner was remanded to judicial custody for more than 5 months. He further submitted that the petitioner was involved in seven previous cases and that the present case is posted for the examination of the Investigation Officer. Once the Investigating Office is examined, the trial is likely to be completed. However, he vehemently opposed to grant of bail to the petitioner.



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4. Heard both sides and perused the materials available on record including the First Information Report.

5. Considering the nature of allegations, period of incarceration of the petitioner and the case is pending for examination of Investigation Officer, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

6. 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 II Additional Session Judge, Tiruchengode** 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 Trial Court on all working day at 10.30.a.m., for a period of four 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;



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[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.

26.02.2026

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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.

4/6



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To

1. The **II Additional Session Judge, Tiruchengode**

2. The Inspector of Police,
Tiruchengode Town Police Station,
Tiruchengode.

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

4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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