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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7010 of 2026

M.Sundhar

..Petitioner

Vs

The State Represented by
The Inspector of Police,
D-1, Triplicane Police Station,
Chennai. Crime No.509/2011.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail concerned in S.C.No.102 of 2020, XXI Additional Sessions Court at Allikulam, Chennai in Crime No.509 of 2011, D1 Triplicane Police Station, Chennai on such terms and Conditions may deem fit and proper in the circumstances of the case.

For Petitioner:

Mr.S.Jayaprakash

For Respondent:

Mr.S.Vinoth Kumar,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.10.2025 for the alleged offences under Sections 147, 148, 341, 294(b), 323, 307, 506(ii) and 302 r/w Section 34 of Indian Penal Code, 1860, in Crime No.509 of 2011 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and along with two others abused, attacked the victim and murdered. Based on the complaint, the



respondent police registered the case. The petitioner was absconding for a considerable period and hence Non-Bailable Warrant was issued. Thereafter, the petitioner was secured and remanded to judicial custody on 11.10.2025 and the trial has already been taken up.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been in incarceration since 11.10.2025 after execution of Non-Bailable Warrant and has undergone considerable period of custody. It is submitted that the petitioner was earlier released on bail and due to certain circumstances, he could not appear resulting in issuance of NBW. The learned counsel would further submit that the trial has already commenced and the petitioner is ready to cooperate with the same. Hence, he prayed for granting bail.

3. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner absconded for a long period and was secured only after considerable efforts by the police. It is further submitted that the case is of the year 2011 and the petitioner has criminal antecedents, including one case of murder. The learned Government Advocate (Crl.Side) would submit that the conduct of the petitioner shows that he is not likely to cooperate with the proceedings. It is also submitted that the trial has already commenced and if the petitioner is released on bail, there is every likelihood of



delay in trial. Hence, he strongly opposed the grant of bail.

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4. I have given anxious consideration to the submissions made by the learned counsel on either side.

5. This Court is of the view that from the submission of the learned counsel on either side, it is seen that the petitioner was absconding and a Non-Bailable Warrant was issued and executed, pursuant to which he was remanded on 11.10.2025. Though the petitioner has been in incarceration for some time and the trial has already commenced, the conduct of the petitioner in not appearing before the Court earlier cannot be overlooked. Further, it is seen that the case is of the year 2011 and the petitioner has criminal antecedents, including one previous case of murder. Considering such antecedents and the earlier conduct of absconding, this Court is of the view that if the petitioner is enlarged on bail, there is a likelihood of delay in trial proceedings. Hence, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

NSL

18-03-2026



To

1. The Inspector of Police,
D-1, Triplicane Police Station,
Chennai.

2. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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