



WEB COPY

CRL OP No. 7857 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7857 of 2026

M.Sakthivel

..Petitioner(s)

Vs

The State of Tamil Nadu Rep. by
The Inspector of Police
Maharajakadai Police Station
Krishnagiri District.
Cr. No.144/2017.

..Respondent(s)

Criminal Original Petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioner on bail in Crime No.144 of 2016 pending investigation on the file of the respondent police.

For Petitioner(s): Mr.K.Venkateswaran

For Respondent(s): Mr.S.Vinoth Kumar
Government Advocate
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 31.07.2025 for the alleged offences punishable under Sections 397 of IPC, in connection with the Crime No.144 of 2026 on the file of the respondent police, seeks bail.



2. According to the prosecution, the petitioner, along with other accused, has been habitually threatening the general public by projecting himself as a rowdy. It is further alleged that the petitioner has involved in multiple incidents of theft. Hence, the case.

3. The learned counsel for the petitioner would submit that though a Non-Bailable Warrant was issued against the petitioner on 15.12.2022, he was subsequently remanded to judicial custody on 31.07.2025. He would further contended that while other similar cases are pending, the petitioner had filed an application to recall the warrant in the present case. However, instead of the warrant being recalled, the petitioner was remanded to judicial custody. Hence, the learned counsel prays for the grant of bail.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent Police, would strongly oppose the grant of bail on the ground that the petitioner is a habitual offender with 11 previous cases of a similar nature pending against him. He further stated that the petitioner has a history of evading the judicial process, specifically, whenever a crucial trial date arrives, he remains absent, necessitating the issuance of warrants. This conduct has resulted in an F.I.R., registered in the year 2018, failing to reach the trial stage even after several years. The learned Government Advocate further



contended that the Police took nearly three years to secure the petitioner in the present matter and that if he is enlarged on bail, he will likely to be abscond again, further stalling the trial.

5. I have given my anxious consideration to the submissions made by the learned counsel on both side.

6. From the above submissions, this Court is of the firm view that the petitioner has established a regular pattern of absconding for a period exceeding two years, which has directly caused significant delays in the trial proceedings. Furthermore, the petitioner's involvement in 11 previous criminal cases indicates a habitual tendency towards crime. Taking into account the gravity of the offence, the petitioner's past conduct in evading the law, and the reasonable apprehension that he may abscond again, this Court finds that it is not a fit case to enlarge the petitioner on bail at this stage.

7. Accordingly, the Criminal Original Petition is dismissed.

27-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Jeni



WEB COPY

1. The Principal Sessions Judge, Krishnagiri.
2. The Superintendent, Central Prison, Vellore.
3. The Inspector of Police, Maharajakadai Police Station,
Krishnagiri District.
4. The Public Prosecutor, High Court of Madras, Chennai.



WEB COPY

CRL OP No. 7857 of 2



C.KUMARAPPAN, J.

Jeni

CRL OP No. 7857 of 2026

27-03-2026