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CRL OP No. 9014 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9014 of 2026

Ashok Rajan S/o Ayyaperumal,
111/3-83-b, Mela Street,
Valarakkurichi, Sendurai Taluk,
Ariyalur District.

..Petitioner(s)

Vs

State represented by:

The Inspector of Police
Irumbulikulurichi Police Station,
Ariyalur District.
(Crime No.382 of 2020)

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail in P.R.C.No.6 of 2024 on the file of the District Munsif-cum-Judicial Magistrate, Sendurai.

For Petitioner(s):	M/S. R.Gokulakrishnan
For Respondent(s):	Mr. S. Vinoth Kumar, Government Advocate (Criminal side).

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.03.2026 for the alleged offences under Sections 147, 294(b), 324 and 307 IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in Crime No.382 of 2020 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that due to previous enmity with regard to the dispute of land and pet animal, on 30.08.2020 at about 12.45 p.m., A1 to A7 abused the defacto complainant and others in filthy language, A1 and A2 assaulted the defacto complainant and his wife using deadly weapon and also assaulted one Chitra using wooden log, caused grievous injuries to them and also attempted to commit murder. Hence the case.

3. The learned counsel appearing for the petitioner would submit that non-bailable warrant was ordered against the petitioner in the year 2024 and he already went to Singapore after obtaining anticipatory bail due to his avocation and returned only during 2026. He would further submit that while the petitioner landed at Trichy Airport on 11.03.2026, he was arrested and remanded to judicial custody.

4. At this juncture, the learned Government Advocate (Criminal side) appearing for the respondent police would submit that this case is of the year 2020 and only because of absence of the petitioner, no progress has been taken place in this case and hence strongly objected to grant bail to the petitioner.

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



6. From the submission made by the learned Government Advocate, it is seen that the only apprehension raised by the Government is that if the petitioner is enlarged on bail, there is every possibility that again he will flee from the country and he is of the person having flight risk. The said contention of the learned Government Advocate cannot be lightly ignored and the history of the petitioner would also indicate the same. However, the occurrence was taken place in the year 2020 and except for progress of trial, the petitioner's incarceration is not at all necessary. Therefore, taking into consideration of the totality of circumstances and upon the apprehension raised by the Government Advocate and that such apprehension of the State would also be achieved by imposing certain stringent conditions. Hence, this Court is inclined to enlarge the petitioner on bail, subject to the following stringent conditions:

7. 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 Judicial Magistrate, Sendurai** 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 stay at Ariyalur and sign before the Court concerned, i.e., District Munsif-cum-Judicial Magistrate, Sendurai, daily at 10.30 a.m. and 5.30 p.m. for a period of 60 days and thereafter to appear before the investigation officer as and when required for interrogation.

[c] The petitioner shall not move from Tamil Nadu except getting leave of the trial Court and he shall also surrender his passport before the satisfaction Court.

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not tamper with the evidence or witness 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.

09-04-2026

MJS



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 Judicial Magistrate, Sendurai.
2. The District Munsif-cum-Judicial Magistrate, Sendurai.
3. The Public Prosecutor, High Court of Madras.
4. The Inspector of Police, Irumbulikulurichi Police Station, Ariyalur District.
5. The Superintendent of Police, Central Prison, Trichy.



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C.KUMARAPPAN, J.

MJS

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