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Crl.O.P.No.10776 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2026

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.10776 of 2026

Iyappan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Pallipalayam Police Station,
Namakkal District.
(Crime No.364 of 2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, pleaded to enlarge the petitioner on bail in
S.C.No.111 of 2023 on the file of the II Additional District Court,
Tiruchengode.

For Petitioner : Mr.C.Deepak Kumar

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

ORDER

Petition seeking bail in respect of S.C.No.111 of 2023 pending on
the file of the II Additional District Court, Tiruchengode, in connection with
Crime No.364 of 2022 registered for the offence punishable under Section
302 of IPC, is on board for consideration.



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2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in S.C.No.111 of 2023 on the file of the II Additional District Court, Tiruchengode. He further submitted that the petitioner was regularly appearing before the trial Court on all hearing dates. However, due to illness, he was unable to appear before the trial Court and hence, a non-bailable warrant was issued against him on 24.10.2025 and pursuant to the same, he was arrested on 10.03.2026. He also submitted that the petitioner undertakes to appear before the trial Court on all hearing dates without fail and will cooperate for the speedy conduct of the trial. Hence, he prayed for the grant of bail to the petitioner.

3. Learned Government Advocate (Criminal Side) appearing for the respondent, while objecting to the grant of bail, submitted that since the petitioner failed to appear before the trial Court in S.C.No.111 of 2023, a non-bailable warrant was issued against him on 24.10.2025 and executed on 10.03.2026. He further submitted that 13 witnesses were already examined in this case. He also submitted that there is no previous case against the petitioner.



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4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent police and perused the materials available on record and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties (out of whom, one surety should be a blood related surety of the petitioner)**, each for a like sum to the satisfaction of the learned **II Additional District Court, Tiruchengode**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall appear before the trial Court, on all working days at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond during trial and shall co-operate for speedy conduct of the trial;

[d] the petitioner shall not tamper with evidence or witness during trial;



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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560]*;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

28.04.2026

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Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.
2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order, when uploaded on the official website of this Court, will be watermarked and will also have a QR code.



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To

1. The II Additional District Judge,
Tiruchengode.
2. The Inspector of Police,
Pallipalayam Police Station,
Namakkal District.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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