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CRL OP No. 11908 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-05-2026

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

CRL OP No. 11908 of 2026

J.Shantu@Santhosh Kumar @ Santha Kumar

..Petitioner

Vs

State Rep.by
The Inspector of Police,
V-4, Rajamangalam Police Station,
Chennai District.
Crime No.558 of 2019

..Respondent

Prayer: Criminal Original Petition filed under section 483 of B.N.S.S,2023, to enlarge the petitioner on bail in SC No.44 of 2024 pending on the file of X Additional Judge, City Civil Court, Chennai.

For Petitioner:

Mr.P.Muthamizh Selvakumar

For Respondent:

Mr.V.J.Priyadarsana
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.02.2026 for the alleged offences under Sections 341, 147, 148, 302, 506(ii) r/w 149 of IPC under NBW, in SC No.44 of 2024 on the file of the respondent police, seeks bail.



2. It is the case of the prosecution that NBW was issued against the petitioner by the trial Court on 08.10.2025 due to his non appearance.

Therefore, he was arrested and secured to the judicial custody on 25.02.2026 by the respondent police on execution of NBW.

3. Learned counsel for the petitioner would submit that the petitioner was arrested in the case of Crime No.341 of 2025 and he was under the judicial custody. He would further state that his non appearance before the trial Court is neither wilful nor wanton. He would further state that the petitioner is suffering incarceration from the date of his arrest. Hence, prays for bail.

4. The learned Government Advocate (Criminal Side) would submit that NBW issued against the petitioner by the trial Court on 08.10.2025 could be executed by the respondent police only on 25.02.2026. Hence, he opposed for the grant of bail.

5. At this juncture, the learned counsel for the petitioner submitted that the petitioner, without prejudice to his defence and contention, is ready and willing to deposit an amount of Rs.25,000/- to any association. Hence, he prays for grant of bail to the petitioner.

6. Heard both sides and perused the materials available on record.



7. Considering the facts and circumstances of the case and the nature of the allegations and the submissions made by learned counsel on either side, and taking note of the period of incarceration undergone by the petitioner as well as the fact that the petitioner has volunteered to deposit a sum of Rs.25,000/- to the credit of the '**Tamil Nadu Advocates' Clerks Association, Chennai**', this Court is inclined to grant bail to the petitioner subject to certain conditions.

8. Accordingly, the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) as cost to the **Tamil Nadu Advocate Clerk Association, Chennai, Account No. 484026006, Branch: Indian Bank High Court, IFSC No.IDIB000M157** and on such deposit, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, each for a like sum to the satisfaction of the learned **X Additional Judge, City Civil Court, Chennai**, 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 respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation;



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

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

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

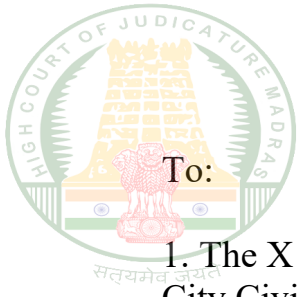
[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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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.



To:

1. The X Additional Judge
City Civil Court
Chennai.

2. The Superintendent
Central Prison
Puzhal

3. The Inspector of Police
V-4, Rajamangalam Police Station
Chennai District.

4. The Public Prosecutor
High Court of Madras
Chennai 600 104



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L.VICTORIA GOWRI, J.

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