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CRL OP No. 11973 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 11973 of 2026

Kannan
S/o.Late. Mani,
No. 517, Pudu Colony,
Sellanur,
Annur Post,
Coimbatore District.

..Petitioner(s)

Vs

State Represented by Inspector of Police
Vadavalli Police Station,
Coimbatore District.
Crime No. 621/2021

..Respondent(s)

Criminal Original Petition is filed under Section 483 of the BNSS Act to enlarge the petitioner on bail concerned in S.C.No. 248/2024 pending trial before the Learned Sessions Judge, Mahila Court/Additional Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore.

For Petitioner(s): Mr.N.Arun Kumar

For Respondent(s): Mr.R.Vinothraja, Government Advocate (Crl.Side)

Order

The petitioner/Accused, was arrested and remanded to judicial custody on execution of NBW on 03.02.2026 for the offences punishable under Sections



394 and 397 of IPC in connection with S.C.No.248 of 2024 in Cr. No.621 of 2021, on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner had stolen golden ornament from the defacto complainant. Hence the case.

3. The learned counsel for the petitioner would contend that the petitioner had been regularly appearing before the Court. However, on 25.09.2024, due to unavoidable circumstances, the petitioner was not in a position to appear before the Court, thereby the Trial Court issued NBW and the same was executed and the petitioner is in judicial custody from 03.02.2026. Therefore prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the charge sheet has already been filed before the learned Principal District Judge, Coimbatore and it was transferred to the learned Mahila Court / Additional Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore in S.C.No.248/2024. The case is pending for trial. It is further submitted that earlier, the petitioner failed to appear before the trial Court and consequently, a Non-Bailable Warrant came to be issued against him. Thereafter, the respondent Police secured the appellant in execution of the said warrant. Therefore, the learned Government Advocate opposed the grant of bail



to the petitioner.

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

6. Considering the nature of offence and already bail was granted to this petitioner and thereafter due to non-appearance of the petitioner before the trial Court, Non Bailable Warrant was issued and the same was executed and he is in prison till date, considering the period of incarceration undergone by the petitioner from 08.02.2026 and now the case is pending for trial, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 Judicial Magistrate Court IV, Coimbatore and on further conditions that:

[b] the petitioner shall report before the Mahila Court / Additional Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore, daily at 10.00 a.m. until further orders;

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

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

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade



him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

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[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

13-05-2026

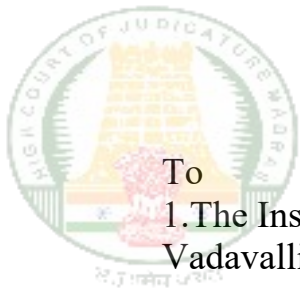
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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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.

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To

1.The Inspector of Police
Vadavalli Police Station, Coimbatore District.

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2.The Mahila Court / Additional Special Court for Exclusive Trial of Cases
under POCSO Act, Coimbatore.

3.The Judicial Magistrate Court IV, Coimbatore.

4.The Public Prosecutor,
Madras High Court.



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P.DHANABAL J.

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