



WEB COPY

CRL OP No. 12120 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. 12120 of 2026

Jeevanantham @ Jeeva
S/o. Saravanan,
No.234/E Block,
East Street – 7, Kannangadu,
Johnsonpet Housing Board,
Salem District.

..Petitioner(s)

Vs

State Rep.by
The Inspector of police,
Hasthampatty Police Station,
Salem District.
Cr.No.02/2024.

..Respondent(s)

Criminal Original Petition is filed under Section 483 of BNSS to enlarge the petitioner on bail in PRC No.125 of 2024 on the file of the Judicial Magistrate No.III, Salem in Cr.No.02 of 2024.

For Petitioner(s):

Mr.W.Camyles Gandhi

For Respondent(s):

Mr.R.Vinothraja,
Government Advocate (Crl.Side)

Order

The petitioner/Accused, was arrested and remanded to judicial custody on 28.10.2025 for the offences punishable under Sections 294 (b), 323 and 307 of IPC in Cr. No.02 of 2024 on the file of the respondent police, seeks bail.



2. The petitioner had jumped bail, had been absconding for nearly eight months. A non-bailable warrant issued against the petitioner on 09.06.2025 was executed only on 28.10.2025. Due to the prolonged abscondence, the case is pending at the PRC stage in P.R.C.No.125 of 2024.

3. The case of the prosecution is that due to previous enmity, the petitioner stabbed the defacto complainant, as a result of which, he sustained injuries and was admitted to the hospital. Hence the case.

4. The learned counsel for the petitioner would contend that the petitioner had been regularly appearing before the Court. However, on 09.06.2025, due to unavoidable circumstances, the petitioner was not in a position to appear before the Court. He is in judicial custody from 28.10.2025. Therefore prayed to grant bail to the petitioner.

5. The learned Government Advocate (Criminal Side) would submit that the charge sheet has already been filed before the learned Judicial magistrate No.III, Salem in P.R.C.No.125 of 2024 and the case is pending for trial. It is further submitted that 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 petitioner in execution of the said warrant. Therefore, the learned Government Advocate opposed the grant of bail to the petitioner.



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

7. Considering the nature of offence and already the petitioner was released on bail and 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 above facts and circumstances of the case and also the incarceration period of the petitioner from 28.10.2025, 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 - III, Salem, and on further conditions that:

[b] the petitioner shall report before the Judicial Magistrate No.III, Salem , 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;



[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

SK

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 - III, Salem.
2. The Central Prison, Salem.
3. The Inspector of police,
Hasthampatty Police Station,
Salem District.
4. The Public Prosecutor,
Madras High Court, Chennai.



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P.DHANABAL J.

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