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CRL OP No. 12216 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.05.2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12216 of 2026

Pandiyan @ Thirumuruga Pandiyan

..Petitioner

Vs

State rep by,
The Inspector of Police,
Karipatty Police Station,
Salem District.
(Crime No.394 of 2015)

..Respondent

Prayer : Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in S.C.No.305 of 2015 on the file of the learned II Additional Judge, Salem.

For Petitioner : Mr.P.Vijendran

For Respondent : Mr.V.J.Priyadarsana
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.05.2010 for the alleged offence under Sections 147, 364, 302 read with Section 149 of IPC, in Crime No.333 of 2010, on the file of the respondent police, seeks bail.



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2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in S.C.No.305 of 2015 on the file of the learned II Additional District Judge, Salem. He further submitted that due to illness, he was unable to appear before the trial Court, and he was issued with the non-bailable warrant and pursuant to the same, he was arrested on 26.05.2025. He also submitted that the petitioner will undertake that hereafter he will regularly appear before the trial Court on all hearing dates and also stated that he is prepared to comply with any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner is facing trial in S.C.No.305 of 2015 on the file of the learned II Additional District Judge, Salem, has failed to appear before the trial Court, the trial Court has issued a NBW against the petitioner and based on which, petitioner was remanded to judicial custody on 26.05.2010. He further submitted that, apart from this case, petitioner has 22 previous cases. Hence, he vehemently opposed to grant of bail to the petitioner.



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4. Heard both sides and perused the materials available on record including the First Information Report.

5. Considering the nature of allegations, already petitioner was granted bail and due to his non-appearance, NBW was issued by the trial Court and the same was executed and the petitioner was arrested on 26.05.2010 and already this Court also directed the trial Court to dispose of this case within stipulated time and so far this case was not disposed of and the fact that though petitioner has 22 previous cases, he was enlarged on bail in those cases and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

[a] Accordingly, 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 **II Additional District Judge, Salem**, and on further conditions that:-

[b] the petitioner shall report before the Trial Court on all working days at 10.30.a.m., and 05.00.p.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;

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[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 BNS.

14.05.2026

index: Yes/No
Internet: Yes/No
Speaking/Non Speaking order
sma



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 II Additional District Judge, Salem.
2. The Public Prosecutor, Madras High Court, Chennai.
3. The Inspector of Police,
Karipatty Police Station,
Salem District.
4. The Superintendent of Police, Sub Jail, Attur.



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P.DHANABAL, J.

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