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CrI.O.P.No.12286 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.05.2026

CORAM:

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CrI.O.P.No.12286 of 2026

Prabhakaran
S/o. Loganathan

... Petitioner/Accused No.3

Vs.

The State represented by,
The Inspector of Police,
Sathuvachari Police Station,
Vellore District.
(Crime No.979 of 2013)

... Respondent /Complainant

PRAYER:- Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to enlarge the petitioner on bail in S.C.No.49 of 2026 pending trial on the file of the I Additional District and Sessions Court, Vellore.

For Petitioner	:	Mr.S.Karthik
For Respondent	:	Mr.L.Baskaran Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioner on 11.05.2026 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.



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2. The petitioner/A3 was arrested and remanded to judicial custody on 16.10.2025 through PT warrant pursuant to the Non Bailable Warrant issued against him on 15.04.2025 in P.R.C.No.19 of 2018 on the file of the Judicial Magistrate Court No.V, Vellore, in connection with Crime No.979 of 2013 registered on the file of the respondent-police for the alleged offences punishable under Section 384, 392, 397 r/w 109 and 34 of IPC.

3. Mr.S.Karthik, learned counsel for the petitioner, submits that the petitioner/A3 is now facing trial in S.C.No.49 of 2026 pending trial on the file of the I Additional District and Sessions Court, Vellore. He further submits that since the petitioner was taking care of his mother, who is a heart patient, he was unable to appear before the Judicial Magistrate Court No.V, Vellore, where the case was pending committal in P.R.C.No.19 of 2018. Therefore, a non-bailable warrant was issued against him on 15.04.2025 and pursuant to the same, he was arrested on 16.10.2025 through a PT warrant. He also submits that subsequently, the case was committed to the Court of Session and numbered as S.C.No.49 of 2026. He further submits that the petitioner will appear before the trial



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Court on all hearing dates without fail and cooperate for the speedy conduct of the trial. Hence, he prays for the grant of bail to the petitioner.

4. *Per contra*, Mr.L.Baskaran, learned Government Advocate (Criminal Side) appearing for the respondent-police submits that the non-bailable warrant was issued against the petitioner/A3 on 15.04.2025, due to his absence on the date of hearing and the same was executed on 16.10.2025 through a PT warrant. He further submits that the case has now been taken on the file of the I Additional District and Sessions Court, Vellore, in S.C.No.49 of 2026. He further submits that the case now stands posted on 02.06.2026. He also submits that there are 3 previous cases against the petitioner. Hence, he opposes the grant of bail and accordingly, he prays to dismiss the petition.

5. Heard on both sides. This Court has perused the materials available on record.

6. The petitioner was arrested on 16.10.2025. Considering the facts and cumulative circumstances of the case and also taking note of the period of incarceration undergone by the petitioner, this Court is of the



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view that one more opportunity may be given to the petitioner. Hence, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned I Additional District and Sessions Judge, Vellore.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned I Additional District and Sessions Court, Vellore, shall obtain a copy of any one of their identity proofs to ensure their identity.

(iii) The petitioner shall appear and sign before the learned I Additional District Judge, Vellore, on all working days at 10.30 a.m., until further orders.

(iv) The petitioner shall furnish his residential address and mobile numbers to the learned I Additional District and Sessions Judge, Vellore.

(v) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023.

(vi) The petitioner shall not commit an offence similar to the



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offence of which he is accused, or suspected, of the commission of which he is suspected.

(vii) 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 them from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(viii) The petitioner shall also not directly or indirectly, cause any threat to the defacto complainant, victims, and witnesses.

(ix) The petitioner shall not enter into the *de facto* complainant's house or his work place.

(x) The petitioner shall not try to contact the *de facto* complainant, victims, and witnesses either directly or through any electronic mode.

(xi) On breach of any of the aforementioned conditions, the I Additional District and Sessions Judge, Vellore or Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in ***P.K. Shaji vs. State of Kerala*** [(2005) 13 SCC 283].

7. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

20.05.2026

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Note:

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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 I Additional District and Sessions Judge,
Vellore.
2. The Judicial Magistrate Court No.V, Vellore.
3. The Superintendent of Prisons,
Central Jail,
Vellore.
4. The Inspector of Police,
Sathuvachari Police Station,
Vellore District.
5. The Public Prosecutor,
Madras High Court.



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R.SAKTHIVEL,J

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Order made in
Crl.O.P.No.12286 of 2026

20.05.2026