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CRL OP No. 12884 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12884 of 2026

N.Sudhakar
S/o. Nagarajan,
Sagadevan Kottai,
Pernampattu Post,
Tirupattur Taluk and District - 635 652.

..Petitioner(s)

Vs

The Tamilnadu State Rep. by The Inspector of
Police
Nagarasampatti Police Station,
Krishnagiri District
Crime No. 104 of 2019

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail pending trial in connection with the case in C.C.No.33 of 2020 on the file of the Judicial Magistrate, Pochampalli, Krishnagiri.

For Petitioner(s):	Mr.Vijaya Prabhakaran G
For Respondent(s):	Mr.R.Vinothraja Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.08.2025 for the alleged offence under Section 331(4), 110 of BNS and 308 & 457 IPC, in Crime No.104 of 2019, on the file of the respondent police, seeks bail.



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2. The learned counsel for the petitioner submitted that the petitioner is an accused facing trial in C.C.No. 33 of 2020 on the file of the learned Judicial Magistrate, Pochampalli. He further submitted that owing to the petitioner's inability to appear before the trial Court, a Non-Bailable Warrant was issued against him, pursuant to which he was produced through a Prisoner on Transit (PT) warrant on 08.08.2025. It is also submitted that the petitioner undertakes to regularly appear before the trial Court on all future hearing dates without fail, and is prepared to comply with any stringent conditions that may be imposed by this Court. Hence, he prays for the grant of bail to the petitioner.

3. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner, who is facing trial in C.C.No. 33 of 2020 on the file of the learned Judicial Magistrate, Poochampalli, failed to appear before the trial Court, whereupon the trial Court issued a Non-Bailable Warrant against him, and he was subsequently produced through a PT warrant on 08.08.2025. He would also submit that there are 35 previous cases pending against the petitioner. Therefore, he vehemently opposed the grant of bail to the petitioner.



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

5. Considering the nature of allegations and the fact that the petitioner was already detained in another case, at the time when NBW was issued by the trial Court, and therefore, the petitioner was remanded on 08.08.2025 through PT Warrant and that though there are several cases pending against the petitioner, they are not of similar nature, and since the investigation in the present case has been completed and the case is posted for trial, and also considering the period of incarceration suffered 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 **District Munsif Cum Judicial Magistrate Court, Pochampalli, Krishnagiri District**, and on further conditions that:-

[b] the petitioner shall report before the trial Court daily at 10.30.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 BNS.

14-05-2026

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

TSG

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 District Munsif cum Judicial Magistrate,
Pochampalli, Krishnagiri District
2. The Inspector of Police, Nagarasampatti Police
Station, Krishnagiri District
3. The Superintendent, Madurai Central Prison
4. The Public Prosecutor, High Court, Madras



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P.DHANABAL, J.

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