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CrI.O.P.No.12654 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2026

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

CrI.O.P.No.12654 of 2026

Venkatesh

...Petitioner

Vs.

State rep. by,
The Inspector of Police,
Kunnathur Police Station,
Tiruppur District.
(Crime No.104 of 2025)

...Respondent

Prayer: Criminal Original Petition filed under Section 483 of BNSS, seeking to enlarge the petitioner on bail in connection with C.C.No.43 of 2025, on the file of the District Munsif cum Judicial Magistrate Court, Uthukuli, Tiruppur District, pending trial.

For Petitioner : Mr.Ilayaraja Kandasamy

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.03.2026, pursuant to the NBW issued against him on 17.02.2026 in C.C.No.43 of 2025, pending on the file of the District Munsif cum Judicial Magistrate Court, Uthukuli, Tiruppur District, arising out of the



FIR in Crime No.104 of 2025 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that for the alleged occurrence that took place on 08.03.2025, an FIR in Crime No.104 of 2025 came to be registered by the respondent police as against the petitioner on 08.03.2025 for the offence punishable under Section 304(2) of BNS and after completion of the investigation, the final report was filed before the District Munsif cum Judicial Magistrate Court, Uthukuli, Tiruppur District and the same was taken on file in C.C.No.43 of 2025. However, as the petitioner did not appear before the trial Court on 17.02.2026, Non Bailable Warrant was issued against him on 17.02.2026 and the petitioner was arrested and remanded to judicial custody on 11.03.2026. Hence, this petition.

3. Learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the non appearance of the petitioner before the trial court on 17.02.2026 was neither wilful nor wanton and only due to the indisposition suffered by the petitioner, he was not able to appear before the trial court on the said date. He also submitted that the petitioner is in



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custody for more than two months. Hence, he prayed that the petitioner may be released on bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent reiterated the case of the prosecution and submitted that the petitioner is an accused facing trial in C.C.No.43 of 2025 on the file of the District Munsif cum Judicial Magistrate Court, Uthukuli, Tiruppur District and that there are twelve previous cases pending against the petitioner and whenever the petitioner was granted bail, he miserably failed to comply with the conditions imposed. Hence, he strongly opposed to grant bail to the petitioner.

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

6. Considering the rival submissions made by the learned counsel on either side, the nature of offence and also considering the fact that though there are twelve previous cases pending against the petitioner, they are not of a similar nature and that the petitioner has been granted bail in all of them and further taking note of the period of incarceration of the petitioner from 11.03.2026, I am inclined to grant bail to the petitioner subject to the following conditions:



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[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 **District Munsif cum Judicial Magistrate, Uthukuli, Tiruppur District**, and on further conditions that:

[b] **the petitioner shall report before the trial court at 10.30 a.m. on all working days until further orders;**

[c] the petitioner shall not commit any offence similar to the offence of which he is an 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 them 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 of B.N.S.

14.05.2026

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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.

To:

1. The District Munsif cum Judicial Magistrate,
Uthukuli, Tiruppur District.
2. The Superintendent,
Central Prison, Coimbatore.
3. The Inspector of Police,
Kunnathur Police Station,
Tiruppur District.
4. The Public Prosecutor,
High Court, Madras.



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P.DHANABAL, J.

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