



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13235 of 2026

Kolanchi @ Kolangi Murugaiyan
S/o.Murugaiyan,
Aged about 45 years,
Residing at No.128,
South Street, Pulivalam,
Tittakudi Taluk, Cuddalore - 606 106.

..Petitioner/Accused - 5

Vs

The State Rep. by
The Inspector of Police,
Tittakudi Police Station,
Tittakudi.

..Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant anticipatory bail in the event of his arrest in the S.C.No.45 of 2020 in Crime No.22 of 2019, pending trial on the file of the learned Sub Judge at Tittakudi.

For Petitioner:

Mr.K.Ravikumar

For Respondent:

Mr.A.Gopinath
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioner on 18.05.2026 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.



2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 506(2), 307 of Indian Penal Code, 1860, in Crime No.22 of 2019 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner/A5 was implicated in Crime No.22 of 2019 for offence under Sections 147, 148, 294(b), 323, 324, 506(2), 307 of Indian Penal Code, 1860. After filing of the final report and during the pendency of trial in S.C.No.45 of 2020, the petitioner, who was enlarged on bail, failed to appear before the Trial Court from 13.06.2022 and went abroad without permission, due to which non bailable warrant was issued against him on 09.02.2023.

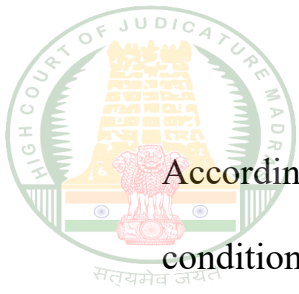
4. Mr.K.Ravikumar, the learned counsel for the petitioner, submits that the petitioner is a daily wage labourer who went abroad for his avocation. He recently returned from abroad. He further submits that the petitioner is ready to abide by any conditions imposed by this Court. Furthermore, on instructions, he submits that the petitioner is ready and willing to deposit his passport before the Trial Court. The petitioner reasonably apprehends that if he files an application to recall the Non-Bailable Warrant (NBW), the Trial Court may dismiss the petition and remand him to custody. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.



5. *Per contra*, Mr.A.Gopinath, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioner was arrayed as A5 in a serious offence involving offences under Sections 147, 148, 294(b), 323, 324, 506(2), 307 of Indian Penal Code, 1860. Though he was enlarged on bail, he failed to appear before the Trial Court from 13.06.2022 onwards and left to Saudi Arabia, without obtaining permission from the Court. Hence, non bailable warrant was issued against him on 09.02.2023. Hence, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. This Court is of the view that though the petitioner failed to appear before the learned Trial Court from 13.06.2022 onwards and went abroad without obtaining prior permission from the Court, he has now returned to India and explained that he had gone to Saudi Arabia only for employment. Further, the petitioner has undertaken to surrender before the learned Trial Court, participate in the proceedings and deposit his passport before the Trial Court. Further, since the petitioner has a permanent residence and deep roots in society, there is a less possibility of absconding. Considering the facts and circumstances of the case, the averments made by the learned counsel appearing for the petitioner and with a view to affording an opportunity to the petitioner to reform himself, this Court is inclined to grant pre-arrest bail to the petitioner.



Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:"

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(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Sub Judge, Tittakudi, Cuddalore District, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Sub Judge, Tittakudi, Cuddalore District.

(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 Sub Judge, Tittakudi, Cuddalore District shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioner shall appear before the Trial Court on all hearing dates without fail.

(iv) The petitioner shall make himself available for interrogation by a police officer as and when required.

(v) The petitioner shall surrender his original passport before the Trial Court.



(vi) The petitioner shall inform his permanent as well as present place of residence and mobile number to the Investigating Officer. Any change thereof shall be immediately intimated to the Investigating Officer.

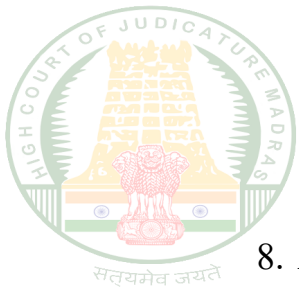
(vii) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer.

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

(ix) The petitioner shall not leave India without prior permission of the Trial Court.

(x) The petitioner shall furnish his residential address and mobile number to the learned Sub Judge, Tittakudi, Cuddalore District,

(xi) On breach of any of the aforementioned conditions, the learned Sub Judge, Tittakudi, Cuddalore District or Trial Judge, as the case may be, 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]*.



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

21-05-2026

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

NSL/SHL

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 official website of this Court will be watermarked and will also have a QR code.

To

1. The Sub Judge, Tittakudi, Cuddalore District.

2. The Inspector of Police,
Tittakudi Police Station,
Tittakudi.

3. The Public Prosecutor,
High Court of Madras.



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CRL OP No. 13235 of 2



R.SAKTHIVEL, J.

NSL/SHL

CRL OP No. 13235 of 2026

21-05-2026