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Crl.O.P.No.16976 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.16976 of 2026

Eswaramoorthi

... Petitioner(s)

Vs.

The State rep. by
The Inspector of Police,
Dharapuram Police Station,
Tiruppur District.
Crime No.1201 of 2021

... Respondent(s)

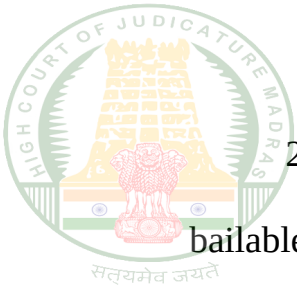
PRAYER : Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail concerned in S.C.No.53 of 2022 pending on the file of the learned III Additional District Judge, Dharapuram.

For Petitioner(s) : Mr.C.Ramkumar

For Respondent(s) : Mr.S.Yogaraja Sekar,
Government Advocate (Crl.Side)

ORDER

The petitioner, who had earlier jumped bail, was issued a non-bailable warrant on 16.03.2026, pursuant to which he was arrested and remanded to judicial custody on 01.06.2026.



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2. The learned counsel for the petitioner would submit that the non-bailable warrant came to be issued on 16.03.2026 as the petitioner could not appear before the Court due to medical ailments. He would further submit that the petitioner was arrested and remanded to judicial custody on 01.06.2026 and has been under incarceration for more than 31 days. It is his further submission that the petitioner will hereafter appear before the Court regularly and cooperate with the trial for its early disposal. Hence, he prayed for grant of bail.

3. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the grant of bail, reiterated the prosecution case and, on instructions, submitted that due to the absence of the petitioner, no progress could be made in the criminal case, and that the trial has now reached a crucial stage.

4. Considering the above facts and circumstances and the fact that the trial has still not begun, keeping the petitioner in custody without any progress in the trial would jeopardize his liberty of which earlier granted to him by way of bail. Hence, this Court is of the view that this is a fit case to enlarge the petitioner on bail, subject to certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)

with two sureties each for a like sum to the satisfaction of the learned III

Additional District Judge, Dharapuram, and subject to the following conditions:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

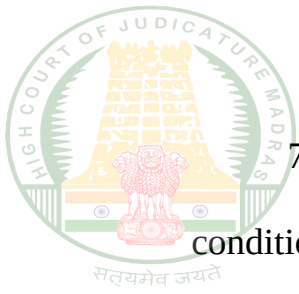
[b] the petitioner shall report before the III Additional District Judge, Dharapuram, everyday at 10.30 a.m. until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.



7. It is made clear that, if the petitioner seeks any relaxation of the condition imposed by this Court, he is at liberty to file an appropriate application before the learned III Additional District Judge, Dharapuram, who shall consider the same on its own merits and in accordance with law.

03.07.2026

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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 learned III Additional District Judge, Dharapuram

2. The Superintendent, Central Prison, Coimbatore

3. The Inspector of Police, Dharapuram Police Station, Tiruppur District.

4. The Public Prosecutor, High Court of Madras



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C.KUMARAPPAN,J.

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