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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2026

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THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 33990 of 2026

Jayakumar @ Jai,
S/o.Arumugam,
Residing at
No.34, Andhony Pillai Street,
Gandhi Nagar, East Tambaram,
Chennai District. ...Petitioner/Accused No.4

Vs

The State Represented by
The Inspector of Police,
Adambakkam Police Station,
Chennai District. ...Respondent/Complainant
(Crime No.1108 of 2020)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail concerned in S.C.No.97 of 2021 pending trial before the learned Additional District and Sessions Judge, Chengalpattu.

For Petitioner(s): Mr.K.Premkumar,
For Mr.N.Arun Kumar

For Respondent(s): Mr.M.M.I.Khaleel,
Govt.Advocate (Crl.Side)

O R D E R

The Petitioner, who was arrested and remanded to judicial custody on 25.06.2026 for the alleged offence under Section 147, 148, 341, 294(b) and 307 of IPC, 302 r/w Section 120(b) of IPC, in Crime No.1108 of 2020 on the file of the respondent police, seeks bail.

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2. It is a case of murder. The petitioner is arrayed as A4 and the trial is pending in S.C.No.97 of 2021. The petitioner was earlier enlarge on bail. However, he failed to appear before the Trial Court on 11.02.2025, pursuant to which a Non-Bailable Warrant was issued against him. On execution of the warrant, he was arrested on 25.06.2026 and has been in judicial custody since then. Hence, the present petition.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and has been falsely implicated in this case. He further submitted that the the petitioner was arrested in another case in Crime No.719 of 2025 on 26.11.2025 and, therefore, could not appear before the Trial Court on the hearing date, resulting in the issuance of a Non-Bailable Warrant. Subsequently, he was granted bail in the said case and released on 07.05.2026. Thereafter, he was arrested in the present case on 25.06.2026 and has been in custody since then. He also further submitted that the petitioner has satisfactorily explained the reasons for his non-appearance before the Trial Court and undertakes to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the petitioner was earlier granted bail in this murder case but

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failed to appear before the Trial Court, resulting in the issuance of a Non-Bailable Warrant. He further submitted that the petitioner was subsequently arrested on 25.06.2026 and is in judicial custody. Hence, he stronlgy opposed the grant of bail to the petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. Considering the facts and circumstance of the case, particulary the explanation offered by the petitioner for his non-appearance before the Trial Court, namely, that he was in judicial custody in another case on the relevant date, and the period of incarceration, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his 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 Additional District and Sessions Judge, Chengalpattu,** and on further conditions that:

[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

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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 Trial Court daily at 10.30 a.m., for a period of 15 days and thereafter on every hearing dates without fail;

[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 pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];**

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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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.

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To

1.The Additional District and Sessions
Judge, Chengalpattu.

2.The Inspector of Police,
Adambakkam Police Station,
Chennai District.

3.The Superintendent,
Central Prison, Puzhal.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

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