



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 33995 of 2025

1. Udaykumar
S/o. Anbalagan, Kadambur Muniappan Koil
Street, Kitchipalayam, Salem District.

Petitioner(s)

Vs

1. State rep by its, Inspector of Police
Veeranam Police Station, Salem
District. Crime No.243 of 2013

Respondent(s)

PRAYER

To issue direction to set aside Impugned return docket order dated 13.11.2025 passed by the Honble II Additional District and Sessions Judge, Salem in Crl.M.P.Sr.No.5693 of 2025 or pass such further or other orders which deem fit and proper and thus render Justice.

For Petitioner(s): C.Deepakkumar

For Respondent(s): M/s. Leonard Arul Joseph
Selvam Additional Pp

ORDER

This petition has been filed for a direction to set aside the impugned return docket order dated 13.11.2025 by the learned II Additional District and Sessions Judge, Salem in Crl.M.P.Sr.No.5693 of 2025.

2.The petitioner / accused was granted bail by this Court by order dated



29.07.2025. One of the condition was that the petitioner to be released on bail on executing a bond for a sum of Rs.10,000/- with two blood related sureties.

Thereafter, the petitioner had filed modification petition in Crl.M.P.No.16335 of 2025 in Crl.O.P.No.14228 of 2025, stating that there is no blood sureties available. Hence, the condition to be modified. This Court, by an order dated 24.09.2025, deleted the blood surety condition and directed the petitioner to execute a bond of Rs.10,000/- with two sureties.

3.The petitioner had executed sureties on 13.11.2025 and one of the surety was Mallika, who is the wife of the petitioner and another surety is Raji, S/o.Narayanan. Both the sureties were not entertained and it was returned by the learned II Additional District and Sessions Judge, Salem, as no documents filed properly belong to the sureties for value of Rs.10,000/- not produced and age of sureties an accused out of furnish have to be furnished. Hence, filed this petition to set aside the return surety order dated 13.11.2025.

4.The learned Additional Public Prosecutor submitted that the Trial Court had returned the surety memo and it was for the reason that it is deficit of certain particulars. It is for the petitioner to re-submit the surety memo correcting the defects and approach this Court to set aside the order.



5.Considering the facts and circumstance of the case and the submissions made by both sides, both the sureties age has been given and with regard to the request for property for the value of Rs.10,000/-, no immovable surety can be insisted. The petitioner is directed to represent the surety affidavit. The Trial Court to consider the sureties not in a rigid manner, finding that the accused has been granted bail as early as on 29.07.2025. It is almost nine months after the bail has been granted to the petitioner / accused, he is still inside the prison.

6.Accordingly, this Criminal Original Petition is allowed with the above directions. No costs.

09-04-2026

krk

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

NOTE: Registry is directed to return the original impugned order.

To

1.The learned II Additional District and Sessions Judge,
II Additional District and Sessions Court, Salem.

2.State rep by its, Inspector of Police
Veeranam Police Station, Salem District. Crime No.243 of 2013

3.The Public Prosecutor,
High Court of Madras, Chennai.



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M.NIRMAL KUMAR J.

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