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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.886 of 2026

Sankar

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
E-2 Royapettah Police Station,
Chennai – 600 020.
(Crime No.2529 of 2015)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in S.C.No.24 of 2025 on the file of XVII Additional Sessions Court, Chennai.

For Petitioner : Mr.A.Elumalai

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.08.2025 for the alleged offence under Sections 341, 294(b), 324, 336, 427, 307 and 506(2) of IPC in Crime No.2529 of 2015 on the file of the respondent police, seeks bail.



2. The petitioner herein was earlier arrested and released on bail.

Thereafter the case was committed and after committal, the case was made over to XVII Additional Sessions Court, City Civil Court, Chennai. On 10.01.2025, the petitioner was instructed to appear before 17th Additional City Civil Court, Chennai for hearing on 31.01.2025. However the petitioner herein was not appeared on 31.01.2025 and next date of hearing also he has not appeared. Hence Non Bailable Warrant was issued on 14.02.2025. Thereafter , the Non Bailable Warrant was executed on 22.08.2025.

3. Earlier, this Court dismissed the bail petition filed by the petitioner in CrI.OP.No.30155 of 2025 dated 05.11.2025 on the following reasons:

5. I have also gone through the order passed by the Trial Court and also the report submitted in this regard. The report revealed that the petitioner was earlier bound over to appear before the XVII MM, as per the order passed by the XVIII Metropolitan Magistrate. Accordingly he was also endorsed that he will appear before the concerned Court. Thereafter he has not appeared and after lapse of seven months the Non Bailable Warrant was executed. It is also recorded by the Trial Court that the petitioner is also having bad antecedents. Considering the above facts and circumstances and also the present stage of the cases which are pending for framing of charges, I am not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed

4. The learned counsel for the petitioner submitted that though the petitioner is alleged to have involved in previous cases, now PW.1 in this case is examined and witnesses have not supported the prosecution case. There is no



material to seek further custodial interrogation in this case. Hence, he prays to grant bail to the petitioner.

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5. This Court on perusal of the deposition of PW.1 and other connected materials, it was revealed that P.W.1 has not supported the prosecution case and it is a case of attempted murder of P.W.1. and also considering the period of his incarceration, this Court is inclined to grant bail with certain conditions.

6. 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 **XVII Additional Sessions Court, Chennai**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the concerned Court daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[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 aforesaid conditions, the

learned 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];

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

27.01.2026

drl

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

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- 1.The XVII Additional Sessions Court,
Chennai.
- 2.The Inspector of Police,
E-2 Royapettah Police Station,
Chennai – 600 020.
- 3.The Superintendent,
Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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