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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.36148 of 2025

Eruzhavan @ Ravi

Petitioner

Vs

State Rep by
Station House Officer,
Ulundurpet Police Station,
Kallakurichi District.
Crime No.245 of 2014

Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending trial in connection with S.C. No.82 of 2025 on the file of the Additional Sessions Judge, Kallakurichi.

For Petitioner : Mr.A.Tamilselvan

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.05.2025, for the offence under Sections 302 and 307 of IPC in Crime No.245 of 2014, on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner was earlier arrested and released on bail. Subsequently, due to health issue, the petitioner did not appear before the concerned trial Court, and hence Non-Bailable Warrant (NBW) was issued against him on 17.04.2025, and the same was executed on 20.05.2025.

3. Learned counsel appearing for the petitioner submitted that the petitioner was earlier arrested in this case and subsequently, the respondent police started to foist several cases against him. He further submitted that summons was not served on him, and without such service, NBW was issued. He further submitted that he was not aware of the issuance of NBW and only recently, the petitioner came to know that he was arrested and he is in judicial custody for more than 220 days. Hence, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner failed to appear before the

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concerned Court on 17.04.2025, pursuant to which a NBW was issued against him. He further submitted that the petitioner has one previous cases pending against him. Hence, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the submissions made by the learned counsel on either side, the fact that the petitioner is in judicial custody since 20.05.2025, and now the case is posted for examination of witnesses, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, for a like sum to the satisfaction of the *learned Additional Sessions Judge, Kallakurichi* 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 Trial



Court daily at 10.30 a.m., for a period of three weeks.

[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.

09.01.2026

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

1. The Additional Sessions Judge,
Kallakurichi.
2. The Station House Officer,
Ulundurpet Police Station,
Kallakurichi District.
3. The Superintendent,
Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.,

drl

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