

In the court of the Principal Sessions Judge, Tiruppur

Present: Thiru. N.Gunasekaran, M.B.A., B.L.,
Principal Sessions Judge, Tiruppur.

Thursday, the 12th day of March, 2026

Cr.M.P. No.517 / 2026 (CNR No.TNTI18 001147 2026)

Yousuf, aged 49 years
S/o. Mohammad

.. Petitioner /Accused
Vs.

State Represented by
The Inspector of Police,
Avinashipalayam Police Station,
Tiruppur (Crime No.203/2024)

.. Respondent/Complainant

This petition came for hearing on this day in the presence of Thiru.M.Tamilarasan, Counsel for the petitioner and Thiru.S.Kanagasabapathy, Public Prosecutor for the State / respondent and upon hearing both side and upon perusing the documents, this court delivers the following;

ORDER

The Petitioner has filed the application U/s.483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking bail for the offence u/s.457 and 380 r/w.75 of IPC in Cr.No.203/2024 of the respondent police.

First Information Report is pending against the petitioner u/s.457 and 380 r/w.75 of IPC. The alleged date of occurrence is on 22.05.2024 and the First Information Report was registered on 23.05.2024. The Case in C.C.No.257/2024 on the file of the Judicial Magistrate, Palladam is

Dated:12.03.2026

Principal Sessions Judge, Tiruppur

pending against the petitioner and he did not appear before the said Court for hearing and hence, Non Bailable Warrant was issued against him on 18.06.2025. His absence is neither wanton nor willful. The petitioner was secured and remanded to judicial custody on 19.12.2025 and he is in incarceration for the past **84 days**.

The learned Counsel appearing for the petitioner would contend that the petitioners is innocent and has not committed any offence as alleged by the prosecution.

In contra, the learned Public Prosecutor would raise objection through a report of concern police by stating that the Case against the petitioner is pending in C.C.No.257/2024 on the file of the Judicial Magistrate, Palladam. If the petitioner is released on bail, he will again abscond and tamper the witnesses and will not appear before the trial court for trial and hence, sought to dismiss the application.

Both side heard. Records perused. The alleged date of occurrence is on 22.05.2024 and the First Information Report was registered on 23.05.2024. The Case in C.C.No.257/2024 on the file of the Judicial Magistrate, Palladam is pending against the petitioner and he did not appear before the said Court for hearing and hence, Non Bailable Warrant was issued against him on 18.06.2025. The petitioner was secured and remanded to judicial custody on 19.12.2025 and he is in incarceration for the past **84 days**. As per the report of concern police, three other previous cases are pending against the petitioner and he is claimed to be a native of the State of Kerala. The case is of the year of 2024 and is pending for examination of witnesses.

By considering the facts and circumstances, nature and gravity of offence, duration of incarceration, this court **is inclined** to enlarge the petitioner on bail on following conditions even though the petitioner is concerned with three other previous cases on considering the Judgment of Hon'ble Supreme Court of India in Criminal Appeal in C.A.No.152/2020, dated 24.01.2020 in **Prabhakar Tewari Vs. State of Uttar Pradesh** and another.

In the result, the petitioner/accused is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with **two local sureties** each for a like sum to the satisfaction of the learned **Judicial Magistrate, Palladam** on further condition that;

1) the petitioner should appear before the **Judicial Magistrate, Palladam** on every upcoming hearing date without any deviation;

2) the petitioner shall not tamper the evidence or witness during trial,

3) the petitioner shall not abscond during trial,

4) 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 it as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560], and

5) If the accused thereafter abscond, a fresh FIR can be registered under section 269 BNS.

Accordingly, this petition is **allowed**.

Dictated to the steno-typist, typed by her, corrected and pronounced

by me and uploaded in Case Information System on this 12th day of March, 2026.

Principal Sessions Judge,
Tiruppur.

Copy to:

1. The Judicial Magistrate, Palladam
2. The Public Prosecutor, Tiruppur.
3. The Inspector of Police, Avinashipalayam Police Station, Tiruppur.
4. The counsel for the petitioner.
5. The Secretary, District Legal Services Authority, Tiruppur through e-mail.
6. The Superintendent, Central Prison, Coimbatore through e-mail
(As per the Circular of Hon'ble High Court of Madras in R.O.C.No.16380-A/2025/F1, P.Dis.No.53/2025, dated: 25.04.2025).