

**IN THE COURT OF ADDITIONAL DISTRICT AND SESSIONS JUDGE,
TIRUVANNAMALAI, TIRUVANNAMALAI DISTRICT**

**PRESENT: Thiru. B.C. GOPINATH, M. L.,
Additional District Judge, Tiruvannamalai**
Thursay, the 19 th day of December 2024

Crl.M.P.No.393/2024

in

SC.No. 30/2024

Thangadurai, Age 32,
S/O. Poongavanam,
Jothi Nagar village,
Aauthuvambadi post,
Polur Taluk.

.... Petitioners / Accused

// Vs //

State represented by

The Inspector of Police,

Polur Police Station,

Crime No.409/2022.

.... Respondent / Complainant

For Petitioner :- D.Subramanian, B.Sc., B.L., Legal Aid Counsel

For Respondent :- N. Palani, Additional Public Prosecutor.

ORDER

1) Petition for bail U/s.483 BNSS (treated as u/s. 439 Cr.P.C.)

2) The petitioner is the sole accused in SC.No.30/2024 on the file of this court.

The learned counsel for the petitioner submitted that the petitioner failed to appear before the court and hence Non Bailable Warrant was issued on 27.08.2024 against the petitioner. He was remanded to Judicial Custody on 16.09.2024 on execution of Non Bailable Warrant. The petitioner is affected by illness. The petitioner's absence is not deliberate. However this court issued NBW against the accused. The petitioner is innocent and not connected with the offence and his liberty is essential for proper

conduct of the case. The learned counsel also stated that the petitioner has valuable properties and so he will not abscond.

3) The learned Additional Public Prosecutor, by submitting the reply of the Station House Officer concerned, contended that NBW was pending against the petitioner from 27.08.2024, and after efforts by the police, he was arrested on execution of NBW and produced before this court on 16.09.2024. If released on bail, he would not appear before this court and there is a possibility that he may abscond. Hence the learned Additional Public Prosecutor opposed granting bail to the petitioners

4) This court has considered the submissions of both and the point for consideration is whether the petitioner can be enlarged on bail.

5) From the records it is seen that the petitioner is accused in SC.No.30/2024 on the file of this court for alleged offences u/s. 294(b), 302 IPC. Charges were framed on 23.10.2024 and trial is yet to commence. There are 23 witnesses to be examined by the prosecution and so trial is not likely to be concluded in the near future. Considering the circumstances of the case and the period in duress, this court finds a prima facie case to enlarge the petition on bail with conditions. This point is answered accordingly.

6) The petitioner is ordered to be released on bail subject to the following conditions,

- (i) He shall execute a personal bond for Rs.20,000/- with two fresh sureties, one among whom shall be his blood relative.
- (ii) He shall appear before this court every Thursday at 10.30 A.M. until further orders.

(iii) He shall not leave Tiruvannamalai District without prior intimation to the Station House Officer concerned.

(iv) He shall not tamper with evidence and shall co-operate with trial.

Pronounced by me in open Court this the 19th day of December 2024.

(Sd/- B.C.Gopinath)

Additional District Judge,
Tiruvannamalai

Copy to :-

1. The Additional public Prosecutor, Tiruvannamalai
2. The Inspector of Police, Polulr P.S.,
The petitioner through his Counsel.

// By order //

