



CIRCULAR

Sub: Bail - Granting of bail for non-bailable offences - Notice to the concerned Station House Officer in-charge of investigation - Instructions already issued - Reiterated - Reg.

Ref: High Court's Circular in Roc.No.3743/1996/F1, dated 11.12.1997.

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It has been brought to the notice of the High Court that even though instructions were issued to the effect that when an application for bail is made, intimation should be sent to the Station House Officer in- charge of the investigation, to give him reasonable opportunity to make his representation to the Magistrate, the Magistrates are releasing the accused on bail in non-bailable cases, without affording sufficient opportunity to the police to represent their objections to release the accused. This results in the absconding of the accused at later stages and consequently, the Court issues non-bailable warrants to those accused. This causes delay in disposing the cases.

The High Court, considered the said difficulty and in order to avoid such difficulty, issues the following instructions, to all the Judicial Magistrates, for observances:-

*" The Judicial Magistrates and the Metropolitan Magistrates are hereby directed that necessary notice, on bail applications for non-bailable offences, should be given to the concerned Station House Officer in-charge of the investigation, so as to*

*enable him to submit his objections to the Court within the time fixed by the concerned Court. Further, if the Assistant Public Prosecutor is in attendance, he can be heard immediately."*

HIGH COURT, MADRAS

DATED: 19.09.2023

*19/9/23*  
REGISTRAR GENERAL

To

1. All the Principal District Judges/District Judges in the State of Tamil Nadu. }
2. The Principal Judge, City Civil Court, Chennai. }
3. The Chief Judge, Court of Small Causes, Chennai. }
4. The District Judge-cum-Chief Judicial Magistrate, The Nilgiris. }
5. The Chief Judge, Puducherry. }
6. The District Judge, Karaikal. }
7. The Director, Tamil Nadu State Judicial Academy, R.A.Puram, Chennai-28. (with a request to communicate to the Regional Centres, at Madurai and Coimbatore).
8. The Section Officer, "F" Section & B3 Section, Madurai Bench of the Madras High Court, Madurai.
9. The Record Keeper, A.D.Records, High Court, Madras & Madurai Bench of the Madras High Court, Madurai.

**Copy To:**

The Director of Prosecution, No.5, Kamarajar Salai, Chennai -600 005.