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CRL OP No. 17785 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17785 of 2025

Aadhi @ Jheer Hussain

Petitioner/A2

Vs

The State of Tamilnadu rep. by
Inspector of Police, Sunkuvarchatram
Police Station, Kancheepuram District.
Cr.No.4 of 2019

Respondent

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.4 of 2019 pending before the respondent police, subsequently charge sheeted in C.C.No.152 of 2019 pending before the Learned Judicial Magistrate, Sriperumbudur.

For Petitioner: Mr.S.N.Subramani

For Respondent: Mr.A.Gokulakrishnan
Additional Public Prosecutor

**ORDER**

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The petitioner, who was arrested and remanded to judicial custody on 21.05.2025 pursuant to the non-bailable warrant issued in C.C.No.152 of 2019 on the file of the Judicial Magistrate Court, in connection with Crime No.4 of 2019 registered for the offences punishable under Sections 457, 380 of IPC, seeks bail.

2.The learned counsel for the petitioner submitted that the petitioner is facing trial before the District Munsif cum Judicial Magistrate, Sriperumbudur, in C.C.No.150/2019 and C.C.No.152/2019. In C.C.No.150/2019, judgment was rendered on 24.09.2019 while C.C.No.152/2019 is still pending trial. In such circumstances, it has been shown that the petitioner was absconding and the NBW is said to have been issued on 20.09.2023 and after two years, it was executed on 21.05.2025 in C.C.No.153/2019 and he is now in the prison in the said case. The petitioner has been appearing in other two cases and with regard to pendency of NBW in present case, has not been informed to the petitioner and no action has been taken and only on 21.05.2025 he has been arrested in



this case.

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3.The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner is a habitual offender and he had been involved in C.C.Nos.150/2019, 152/2019 and 153/2019. He was convicted in C.C.No.150 of 2019 and facing trial in C.C.No.152/2019.

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

5.Considering the facts and circumstances of the case, the submission made by the learned counsel appearing on either side and the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.5,000/- (Rupees Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial**



Magistrate, Sriperumbudur and on further conditions that:

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[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall appear before the trial Court on every Tuesday at 10.30 a.m. and also on all future hearing dates in C.C.Nos.152/2019 and 153/2019 without fail except on the day when he required to appear in any other case before any other Court.

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass



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appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];

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

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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 State of Tamilnadu rep. by
Inspector of Police, Sunkuvarchatram
Police Station, Kancheepuram District.
Cr.No.4 of 2019.
- 2.The Judicial Magistrate,
Sriperumbudur.
- 3.The Superintendent,
Sub-Jail, Kancheepuram.
- 4.The Public Prosecutor,
High Court of Madras,
Madras.



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M.NIRMAL KUMAR J.

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