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CRL OP No. 880 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 880 of 2026

1. K.Basha
S/o. Kaleel, No.44/52, Vasuki Nagar
2nd Street, Kannikapuram, Perambur
Barracks, Chennai- 600012

Petitioner(s)

Vs

1. State Rep by
The Inspector of Police, P-2 Otteri
Police Station, Chennai Crime
No.147/2010

Respondent(s)

PRAYER

To enlarge the petitioner/Accused 3 on bail in S.C.No.210 of 2013 on the file of the Honble IV Additional City Civil Court, Chennai, pending trial.

For Petitioner(s): M.V.Bibin Mahesh

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

ORDER

The petitioner was arrested and remanded to judicial custody on 23.10.2025 for the alleged offence punishable under Sections 341, 323, 353, 395, 506(ii) of IPC in connection with S.C.No. 210 of 2013 on the file of the learned IV Additional City Civil Court, Chennai in Crime No.147 of 2010



registered on the file of the respondent, seeks bail.

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2. The allegation against the petitioner is that he was involved for the offence under Sections 341, 323, 353, 395, 506(ii) of IPC. Earlier, the petitioner was arrested and released on bail. However, due to health issues, the petitioner failed to appear before the Trial Court. Pursuant to which, a Non-Bailable Warrant (NBW) was issued against him on 03.01.2022, which was executed on 23.10.2025, and the petitioner was remanded to judicial custody.

3. Learned counsel appearing for the petitioner submitted that as the petitioner's mother was bedridden, the petitioner was unable to appear before the Trial Court on 03.01.2022, due to which a Non-Bailable Warrant came to be issued against him. He further submitted that the earlier date of hearing was not properly communicated to the petitioner. Hence, he prays to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that the petitioner has 6 previous cases and the case is now posted for examination of witnesses. Hence, he opposed to grant bail to the petitioner.

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



including the First Information Report.

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6. This is a successive bail application. The earlier bail application of the petitioner was dismissed by this Court on the ground that the case was pending for examination of the witnesses. Now, after examination of the witnesses, the statement of LW1 who is the prime witness, has produced before me stating that the defacto complainant/PW1 has not supported the prosecution case, this Court is inclined to grant bail to the petitioner.

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 IV Additional City Civil Court, Chennai*, 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 respondent police daily at 10.30 a.m., for a period of three weeks.

[c] the petitioner shall not abscond either during investigation or trial;



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[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.

12-01-2026

Mpa

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

1. The IV Additional City Civil Court, Chennai.

1. State Rep by

The Inspector of Police, P-2 Otteri

Police Station, Chennai Crime

No.147/2010

3. The Superintendent,
Puzhal Prison.

4. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR J.
mpa

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