



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 12074 of 2026

1. Abusali

S/o.Noor Mohammed, 3/51, Millath

Nagar, Mangalampet, Cuddalore

District.

Petitioner(s)

Vs

1. The State of Tamil nadu rep.by its

The Insepctor of Police, Mangalampet

Police Station, Cuddalore District

Crime NO.4/2001

Respondent(s)

PRAYER: Petition filed under Section 483 of BNSS, 2023 to enlarge the petitioner on bail in S.C.No.69/2023 on the file of the learned III Additional District and Sessions Judge, Vridhachalam, Cuddalore

For Petitioner(s): Ms.R.Raji

For Respondent(s): Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

Petition is filed by the petitioner/A3 under Section 483 of the B.N.S.S. 2023 seeking bail for the offence under Sections 147, 148,452,294(b),323, 506(ii) of IPC read with Section 3(1) of PPD Act in connection with S.C.No.69 of 2023 on the file of the learned III Additional District and Sessions Judge, Vriddhachalam.

2. It is the case of the prosecution that the petitioner is the third accused in Mother Sessions Case No.66/2001 and the Split Case in S.C.No.69 of 2023



arising out of PRC.No.45/2006(Mother PRC.No.21/2005). NBW was issued against the petitioner on 13.06.2023 and was secured on 02.04.2026, since then he is in judicial custody.

3. The learned counsel appearing for petitioner submitted the mother case of the petitioner has ended in acquittal and the petitioner went to foreign for occupation, however, due to unavoidable circumstances, he could not appear before the Court. The petitioner is innocent and that the petitioner has not committed any offence alleged by the respondent. The petitioner will not abscond and will not tamper the witness. The petitioner undertake to appear as and when directed by this Court. The petitioner is prepared to furnish necessity sureties for releasing the Petitioner on bail. He would further submit that the petitioner has been suffering incarceration from 02.04.2026. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner surrendered before the Court only based on the look out notice, if the petitioner is enlarged on bail, he will again abscond and will not appear before this Court and will indulge in same type of offence. Hence, strongly opposes for grant of Bail to the petitioner and seeks for dismissal of the Petition.



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

6. Considering the rival submissions on either side, nature of offences, already bail was granted to the petitioner in this case and thereafter, due to his non-appearance, NBW was issued against the petitioner by trial Court and the same was executed on 02.04.2026 and that already mother case ended in acquittal and incarceration period spent by the petitioner from 02.04.2026, I am inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Vriddhachalam, Cuddalore and on further conditions that:

[b] the petitioner shall report before the Trial Court daily at 10.00 a.m., until further orders.

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

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

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or



tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

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

13-05-2026

dhk

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 official website of this Court will be watermarked and will also have a QR code.

To

1.The Insepctor of Police, Mangalampet
Police Station, Cuddalore District
Crime NO.4/2001

2.The Judicial Magistrate No.II
Vridhachalam, Cuddalore



CRL OP No. 12074 of 2026



3. The Superintendent, Central Prison,
Cuddalore
4. The Public Prosecutor
Madras High Court



WEB COPY

CRL OP No. 12074 of 2026



P.DHANABAL J.

dhk

**CRL OP No. 12074 of
2026**

13-05-2026