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CRL OP No. 15826 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15826 of 2026

Abdul Sadiq

..Petitioner

Vs

State Rep. by
Inspector of Police,
D1, Triplicane Police Station,
Chennai. Crime No.685/2015.

..Respondent

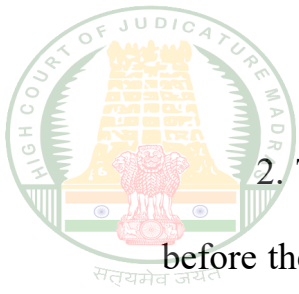
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in S.C.No.9 of 2018 in Crime No.685 of 2015 pending on the file of Respondent Inspector of Police, D1-Triplicane Police Station, Chennai.

For Petitioner: Mr.S.Xavier Felix

For Respondent: Mr.S.Yogaraja Sekar
Counsel for Government of Tamilnadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.04.2025 for the alleged offences under Sections 147, 341, 302, 506(ii) of Indian Penal Code, 1860, in Crime No.685 of 2015 on the file of the respondent police, seeks bail.

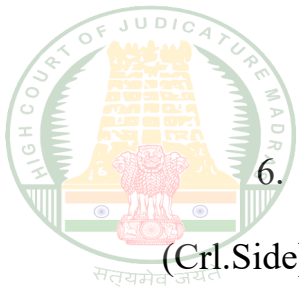


2. The case of the prosecution is that the petitioner was unable to appear before the Trial Court on 12.09.2019 and consequently a Non-Bailable Warrant came to be issued against him. Thereafter, the petitioner voluntarily surrendered before the respondent police and was produced before the Trial Court on 23.04.2025.

3. The learned counsel appearing for the petitioner would submit that the NBW was issued on 12.09.2019 and subsequently the petitioner voluntarily surrendered before the Court on 23.04.2025. It is further submitted that the petitioner has been suffering from heart ailments from the year 2020 and requires continuous medical treatment. The learned counsel would further submit that there are 26 witnesses in the case and already two witnesses have been examined. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) opposed the application on the ground that there is a long lapse of time between the issuance of NBW in 2019 and the surrender made in 2025. It is further submitted that if the petitioner is enlarged on bail, there is every possibility of absconding and the trial may be affected.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.



6. Though the submissions made by the learned Government Advocate (Crl.Side) cannot be outrightly rejected, considering the fact that the petitioner has been suffering from heart ailments from the year 2020 and further considering the conduct of the petitioner in voluntarily surrendering before the Court, coupled with the fact that the trial is already in progress, this Court is of the view that further custody of the petitioner is not essential for the purpose of proceeding with the trial, particularly in the light of his medical condition. Hence, this Court is inclined to enlarge the petitioner on bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty-Five Thousand only), with two sureties for a like sum each to the satisfaction of the learned **XVI Additional City Civil Court, Chennai**, and subject to the following conditions:

[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 report before the Trial Court concerned daily at 10.30 a.m. until further orders;**

[c] the petitioner shall not abscond either during



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investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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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 XVI Additional City Civil Court, Chennai.
2. The Central Prison, Puzhal II, Chennai.
3. The Inspector of Police, D1, Triplicane Police Station, Chennai.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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