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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2026

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.35950 of 2025

Bilal @ Fhasil

... Petitioner

Vs.

State Rep. By
The Inspector of Police,
South All Women Police Station,
Tiruppur City.
(Crime No.697 of 2022)

... Respondent

PRAYER: This Criminal Original Petition filed under Section 528 of BNSS, 2023, praying to modify the condition imposed on the petitioner in paragraph No.6(i) by the learned Sessions Judge, Magalir Needhi Mandram (Fast Track Mahila Court), Tiruppur in Crl.M.P.No.441 of 2025 vide order dated 29.10.2025 that the Petitioner/Accused is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- with two local sureties with Solvency Certificate and another two blood surety each for the like sum and pass such further or other order as this Court may deem fit and proper in the circumstances of the case.



For petitioner : Mr.M.Vijaya Raghavan
For Respondent : Ms.J.R.Archana,
Government Advocate (Crl.Side).

ORDER

This petitioner has filed the present Criminal Miscellaneous Petition under Section 528 of BNSS, 2023, seeking to modify the condition imposed on him in paragraph No.6(i) of the order passed by the learned Sessions Judge, Magalir Needhi Mandram (Fast Track Mahila Court), Tiruppur in CrI.M.P.No.441 of 2025, dated 29.10.2025, whereby the petitioner/accused was ordered to be released on bail on executing a bond for a sum of Rs.10,000/- with two local sureties with solvency certificate and another two blood sureties, each for the like sum.

2. The petitioner herein was earlier arrested and released on bail. Subsequently, he absconded and jumped bail. Consequently, a Nonailable Warrant came to be issued against him on 30.01.2025, which was executed on 29.09.2025. Thereafter, the petitioner approached the trial Court seeking bail and the same was granted, subject to conditions, as set out in paragraph No.6(i) of the order passed by the learned Sessions Judge, Magalir Needhi



Mandram (Fast track Mahila Court), Tiruppur in Crl.M.P.No.441 of 2025,
which reads as follows:-

“6(i). The petitioner/accused is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- with two local sureties with solvency certificate and another two blood sureties, each for the like sum”.

3. The learned counsel appearing for the petitioner submitted that the petitioner is unable to comply with the aforesaid condition, as he is not in a position to produce two local sureties to the satisfaction of the trial Court. It is further submitted that the petitioner is unable to obtain a solvency certificate and that does not have close blood relatives of family members to stand as sureties, as he has been residing away from his native place for a long period. Hence, the petitioner seeks modification of the said condition.

4. On perusal of the order passed by the trial Court, it is shocking to note that the learned trial Judge has imposed the above condition without proper application of mind to the facts and circumstances of the case, thereby rendering the grant of bail with an onerous condition.



K.RAJASEKAR, J.

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5. Therefore, without delving further into the merits of the matter, this Court is inclined to modify the condition No.6(i) imposed by the trial Court, which shall read as under:

“6(i). The petitioner shall be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties to the satisfaction of the trial Court.”

6. Accordingly, this Criminal Miscellaneous Petition is ordered. All other conditions imposed by the trial Court shall remain unaltered.

05.01.2026

Index : Yes/No
Speaking Order/Non Speaking Order
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To

1. The Sessions Judge, Magalir Needhi Mandram (Fast Track Mahila Court), Tiruppur.
2. The Inspector of Police,
South All Women Police Station,
Tiruppur City.
3. The Public Prosecutor,
Madras High Court.

Crl.O.P.No.35950 of 2025