

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 9623/2024

[Arising out of impugned final judgment and order dated 25-06-2024 in CRLA No. 1441/2023 passed by the High Court of Kerala at Ernakulam]

SADDAM HUSSAIN MK & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

[IN THE FIRST FIVE CASES]

(IA No. 256836/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 249178/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH SLP(Crl) No. 11932/2024

(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 196964/2024

FOR EXEMPTION FROM FILING O.T. ON IA 196965/2024)

SLP(Crl) No. 12003/2024

(IA No. 197960/2024 - EXEMPTION FROM FILING O.T.)

SLP(Crl) No. 14675/2024

(FOR ADMISSION and I.R. and IA No.244164/2024-EXEMPTION FROM FILING O.T. and IA No.244165/2024-PERMISSION TO FILE LENGTHY LIST OF DATES)

SLP(Crl) No. 14920/2024

(FOR ADMISSION and I.R. and IA No.247718/2024-EXEMPTION FROM FILING O.T. and IA No.247719/2024-PERMISSION TO FILE LENGTHY LIST OF DATES)

SLP(Crl) No. 15044/2024

(FOR ADMISSION and I.R. and IA No.249650/2024-EXEMPTION FROM FILING O.T. and IA No.249652/2024-PERMISSION TO FILE LENGTHY LIST OF DATES)

SLP(Crl) No. 15783/2024

(FOR ADMISSION and IA No.261866/2024-EXEMPTION FROM FILING O.T. and IA No.261871/2024-PERMISSION TO FILE LENGTHY LIST OF DATES)

SLP(Crl) No. 15005/2024

(FOR ADMISSION and IA No.248755/2024-EXEMPTION FROM FILING O.T. and IA No.248756/2024-PERMISSION TO FILE LENGTHY LIST OF DATES)

**SLP(CrI) No. 14815/2024
(FOR ADMISSION and I.R. and IA No.246566/2024-EXEMPTION FROM FILING
O.T. and IA No.246567/2024-PERMISSION TO FILE LENGTHY LIST OF
DATES)**

**SLP(CrI) No. 181/2025
(FOR ADMISSION and I.R. and IA No.276393/2024-PERMISSION TO FILE
LENGTHY LIST OF DATES)**

SLP(CrI) No. 14454/2024 (FOR ADMISSION and I.R.)

**SLP(CrI) No. 14721/2024
(FOR ADMISSION and IA No.244901/2024-EXEMPTION FROM FILING O.T. and
IA No.244903/2024-PERMISSION TO FILE LENGTHY LIST OF DATES)**

**SLP(CrI) No. 14294/2024
(IA No. 237960/2024 - EXEMPTION FROM FILING O.T.
IA No. 237961/2024 - PERMISSION TO FILE LENGTHY LIST OF DATES)**

**SLP(CrI) No. 14858/2024
(FOR ADMISSION and I.R. and IA No.247120/2024-EXEMPTION FROM FILING
O.T. and IA No.247121/2024-PERMISSION TO FILE LENGTHY LIST OF
DATES)**

**SLP(CrI) No. 14946/2024
(FOR ADMISSION and IA No.248072/2024-EXEMPTION FROM FILING O.T. and
IA No.248075/2024-PERMISSION TO FILE LENGTHY LIST OF DATES)**

**SLP(CrI) No. 14314/2024
(IA No. 239882/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)**

SLP(CrI) No. 14275/2024 (FOR ADMISSION)

**SLP(CrI) No. 14548/2024
(IA No. 242361/2024 - PERMISSION TO FILE LENGTHY LIST OF DATES)**

**SLP(CrI) No. 14432/2024
(IA No. 240393/2024 - PERMISSION TO FILE LENGTHY LIST OF DATES)**

**SLP(CrI) No. 15693/2024
(IA No. 260592/2024 - PERMISSION TO FILE SYNOPSIS AND LIST OF
DATES)**

**SLP(CrI) No. 15036/2024
(IA No. 249506/2024 - PERMISSION TO FILE LENGTHY LIST OF DATES)**

**SLP(CrI) No. 182/2025
(IA No. 242367/2024 - PERMISSION TO FILE LENGTHY LIST OF DATES)**

SLP(Crl) No. 11773/2024 (FOR ADMISSION)

SLP(Crl) No. 18261/2024 (FOR ADMISSION and I.R.)

SLP(Crl) No. 381/2025

SLP(Crl) No. 400/2025 (FOR ADMISSION)

Date : 16-04-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) :

Dr. Aditya Sondhi, Sr. Adv.
Mr. Raghenth Basant, Sr. Adv.
Mr. K. Parameshwar, Sr. Adv.
Mr. Vishnu P., Adv.
Mr. A. Karthik, AOR
Mr. Haris E A, Adv.
Ms. Smrithi Suresh, Adv.
Mr. Akshay Sahay, Adv.
Ms. Kaushitaki Sharma, Adv.
Ms. Hima Bhardwaj, Adv.
Mr. Shreenivas Patil, Adv.
Mr. Anubhav Kumar, Adv.

Mr. Rajkumar Bhaskar Thakare, A.S.G.
Mr. T.S.Sabarish, Adv.
Mr. Annirudh Sharma-(ii), Adv.
Mr. Rajat Nair, Adv.
Mr. Raghav Sharma, Adv.
Mr. Vishnu Shankar Jain, Adv.
Ms. Astha Singh, Adv.
Mr. Kanu Agrawal, Adv.
Mr. Padmesh Mishra, Adv.
Mr. Arkaj Kumar, Adv.
Mr. Mrigank Pathak, Adv.
Mr. Arvind Kumar Sharma, AOR

For Respondent(s) :

Mr. Rajkumar Bhaskar Thakare, A.S.G.
Mr. T.S.Sabarish, Adv.
Mr. Annirudh Sharma-(ii), Adv.
Mr. Rajat Nair, Adv.
Mr. Raghav Sharma, Adv.
Mr. Vishnu Shankar Jain, Adv.
Ms. Astha Singh, Adv.
Mr. Mrigank Pathak, Adv.
Mr. Arvind Kumar Sharma, AOR

Mr. A. Karthik, AOR

UPON hearing the counsel the Court made the following
O R D E R

SLP(Criminal)Nos.14675, 14920, 15044, 15783, 15005,
14815, 14454, 14721, 14294, 14858, 14946, 14548, 14432,
15693, 15036, 18261 of 2024, 181 and 182 of 2025

The learned Additional Solicitor General appearing for the Union of India has placed on record an affidavit and chart. The contention raised in the affidavit, as can be seen from the chart tendered across the bar, that the nature of breaches alleged against the respondents who have been granted bail are as under:

- a) The accused contacted the witnesses on phone;
- b) The accused contacted the other co-accused on phone;
- c) In case of some accused, instead of using only one cell phone, they are using multiple cell phones;
- d) In case of one accused, he has switched off his mobile phone; and

e) In case of one accused, a contention is that he visited two accused who were on escort parole.

Thus, it is alleged that there is a violation of bail conditions. The orders granting bail are one year old. It is obvious that if the accused who have been granted the benefit of bail have violated the material terms and conditions of bail, the High Court which granted the bail has the power to cancel the same.

At this stage, our attention is invited to the observation made in the last part of the impugned order by which the High Court has reserved the liberty to the petitioners to apply to the Special Court for cancellation of bail.

Therefore, the petitioners can always apply to the Special Court and/or the High Court for cancellation of bail on the grounds which are set out in the affidavit filed in these petitions. In fact, the Special Court will be more appropriate Court as by producing the material, the petitioners can satisfy the Special Court about the breach of terms and conditions of grant of bail.

Therefore, at this stage, we decline to entertain these Special Leave Petitions by granting liberty to the petitioners to move the Special Court and/or the High Court for cancellation of bail.

Needless to add that if the prayer made by the petitioners is not acceded to by the Special Court and/or the High Court, the remedies of the petitioners shall remain open.

We make it clear that as and when an application is made for cancellation of bail, the Special Court and/or the High Court should not be influenced by the fact that this Court has declined to entertain the present Special Leave Petitions. Accordingly, the same are disposed of.

Considering the nature of the offence alleged, we request the concerned Court to dispose of the application/s for cancellation of bail as expeditiously as possible provided the same is/are filed by the petitioners.

We make it also clear that we have made no adjudication on the plea raised by the petitioners about the breach of terms and conditions of the bail by the respondents.

Pending applications also stand disposed of.

SLP(Criminal)No.9623 of 2024 and other SLPs

We permit the respondent-Union of India to place on record compilations in each individual Special Leave Petition bringing on record the antecedents of the accused.

List on 6th May, 2025 on the top of the cause list.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER