



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 17403 of 2026

1. Manikandan
2. Keerthivasan
3. Elam Paruthi @ Paruthi S
4. Rajesh

..Petitioner(s)

Vs

The State Represented by
The Sub Inspector of Police
M1, Madhavaram Police Station,
Chennai District.
Crime No.438 of 2026

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 483 of BNSS, 2023, pleaded to enlarge the Petitioners on Bail in crime No.438 of 2026 pending on the file of the respondent.

For Petitioner(s):

Mr.V.Vishnu

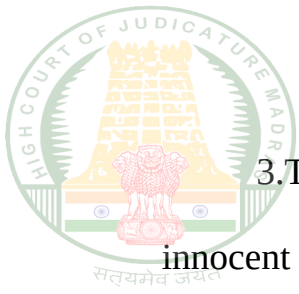
For Respondent(s):

Mr.S.Yogaraja Sekar, Government Advocate
(Criminal Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 08.06.2026 for the alleged offences under Sections 310 (4) of BNS, 2023, in Crime No.438 of 2026 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners were preparing to commit dacoity behind the Madhavaram Leather Goods factory near MRH Road at Madhavaram. Hence the case.



3. The learned counsel for the petitioners submitted that the petitioners are innocent and have been in custody since 08.06.2026. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court and ready to co-operate for investigation. Hence, he prays to grant bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that no previous cases have been registered against the third petitioner; one previous case has been registered against the second and fourth petitioners; and six previous cases have been registered against the first petitioner. Hence, he opposed for grant of bail to the petitioners.

5. Looking into the factual position, the first petitioner has a serious criminal antecedent, having six previous cases against him. However, the second and fourth petitioners have only one previous case and the third petitioner has no criminal antecedents. Considering these circumstances, and the criminal antecedents of the first petitioner, this Court is not inclined to grant bail to the first petitioner. **Consequently, the Criminal Original Petition is dismissed as against the first petitioner.** However, taking into consideration the fact that the petitioners 2 to 4 have been incarcerated since 08.06.2026, this court is of the firm view that their further custody is not necessary.



Consequently, this Court is inclined to grant bail to the petitioners 2 to 4 with certain conditions.

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6. Accordingly, the petitioners 2 to 4 are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), each with two sureties each for a like sum to the satisfaction of the learned **District Munsif Cum Judicial Magistrate, Madhavaram**, 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 petitioners 2 to 4 shall report before the respondent police daily morning at 10.30 a.m for a period of two weeks; thereafter as and when required for interrogation;

[c] the petitioners 2 to 4 shall not abscond either during investigation or trial;

[d] the petitioners 2 to 4 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 petitioners 2 to 4 in accordance with law as if the conditions had been imposed and the petitioners 2 to 4 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]***;

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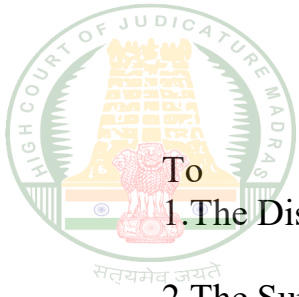
[f] if the petitioners 2 to 4 thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

07-07-2026

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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 District Munsif Cum Judicial Magistrate, Madhavaram.

2. The Superintendent of Prison,
Central Prison, Puzhal.

3. The Sub Inspector of Police
M1, Madhavaram Police Station,
Chennai District.

4. The Public Prosecutor
High Court of Madras.



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C.KUMARAPPAN, J.

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