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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2026

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THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.23247 of 2026

Karunakaran

..Petitioner

Vs

The State Rep by The Inspector of Police
K-1, Sembium Police Station,
Chennai District.
Crime No.242/2026.

..Respondent

PRAYER: To enlarge the petitioner on bail in connection with Crime No.242 of 2026 on the file of the Inspector of Police, K-1 Sembium Police Station, Chennai, on such terms and conditions as this Court may deem fit.

For Petitioner : Mr.P.Muthamizhselvakumar

For Intervenor : Mr.B.Viswanathan

For Respondent : Mr.M.M.I.Khaleel, Govt.Advocate (Crl.Side)
Mr.B.Viswanathan for Intervenor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.07.2026 for the alleged offences punishable under Sections 306 of the Bharatiya Nyaya Sanhita, 2023, in Crime No.242 of 2026 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner was employed as a driver with M/s. J.D. Group of Companies, Madhavaram High Road, Perambur, Chennai. After completion of duty, the company vehicles are routinely parked in a shed adjacent to the company premises, and the keys are kept in a pouch at the security desk. It is alleged that on the night of 19.07.2026 / 20.07.2026, the petitioner took the key of the parking shed from the security desk, opened the locked shed, and unauthorizedly removed the company's Mini Cooper car bearing Registration No.TN 05 BD 0050 without the knowledge or consent of the persons in possession of the said vehicle. The said vehicle subsequently met with an accident, colliding with another vehicle bearing Registration No.TN 01 BQ 9384, following which the petitioner was apprehended and arrested on 20.07.2026. Hence, the registration of the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner has been in judicial custody since 20.07.2026. He also submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court, and therefore, prayed for the grant of bail to the petitioner.



4. The learned counsel appearing for the Intervenor / defacto complainant strongly opposed the grant of bail to the petitioner. He submitted that the petitioner, being an employee of the company, committed a breach of trust by stealthily taking the car keys and driving the vehicle without authorization. He further submitted that the petitioner drove the vehicle in a reckless manner and caused a severe accident, resulting in massive and extensive financial damages to the defacto complainant's luxury car. Therefore, he vehemently contended that if this Court is at all inclined to grant bail to the petitioner, a stringent condition must be imposed directing the petitioner to deposit a substantial amount as compensation towards the cost of the damages caused to the car, and on these grounds, he prayed for the dismissal of the bail petition.

5. The learned Government Advocate (Criminal Side) appearing for the respondent police also vehemently opposed the grant of bail to the petitioner. He submitted that the investigation is still pending, the accused had unauthorizedly taken the vehicle and caused a major accident, and therefore, prayed for the dismissal of the bail petition.

6. In response to the submission made by the learned counsel for the Intervenor, this Court is of the view that the request for directing the accused to pay compensation towards property damage cannot be accepted. It is a well-settled legal proposition that the award of compensation towards civil



damages or the imposition of onerous financial conditions to compensate the owner for vehicle damage cannot be made a condition precedent while granting bail in a criminal case. Hence, the objection raised by the Intervenor to that effect cannot be accepted.

7. Heard the learned counsel for the petitioner, the learned counsel for the Intervenor, and the learned Government Advocate (Criminal Side) appearing for the respondent, and perused the materials available on record.

8. Considering the facts and circumstances of the case, the nature of the offence alleged, the period of incarceration undergone by the petitioner from 20.07.2026, and the stage of the investigation, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

9. 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 to the satisfaction of the **learned V Metropolitan Magsitrate Court, Egmore**, and on further conditions that:

[a] the sureties shall affix his 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 his identity;



[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during 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 pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];**

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

21.08.2026

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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.



N.RAMESH, J.

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1. The V Metropolitan Magsitrate Court,
Egmore.
2. The Superintendent,
Central Prison, Puzhal.
3. The Inspector of Police
K-1, Sembium Police Station,
Chennai District.
- 4.The Public Prosecutor, High Court, Madras.

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