

Crl.O.P.No.22903 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 19.08.2025

Coram:

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.22903 of 2025 &
Crl.M.P.No.15642 of 2025

Aravind

...Petitioner

Vs.

State rep. By
The Inspector of Police,
Somangalam Police Station,
Kancheepuram
Cr.No.53 of 2025

...Respondent

Prayer:

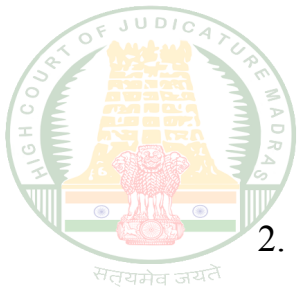
Criminal Original Petition filed under Section 503 of BNSS Act, 2023 to call for the records and set aside the order passed by the Judicial Magistrate Court at Sriperumbudur in Crl.M.P.No.1430 of 2025 on 21.07.2025.

For Petitioner : Mr.K.Karthik

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

Challenging the order of cancellation of bail and re-arrest, the petitioner has come up with the present petition.

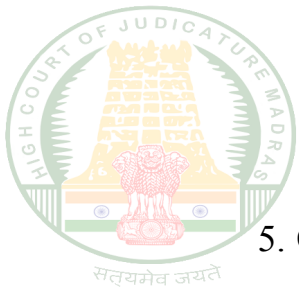


Crl.O.P.No.22903 of 2025

2. Heard the learned counsel for the petitioner and the learned Government Advocate [Crl.Side] appearing for the respondent and perused the documents placed on record.

3. The learned Government Advocate (Crl.Side) appearing for the respondent draws the attention of this Court to the order passed by the learned Judicial Magistrate, Sriperumpudur in Crl.M.P.No.1430 of 2025 dated 21.07.2025 cancelling the bail granted to the accused / petitioner in Crime No.53 of 2025 for offences punishable under Sections 326, 303(1) r/w 21(1) of Mines and Minerals (Development and Regulation) Act. In the said case, the petitioner was granted bail by an order dated 21.03.2025 and later, the bail has been cancelled by the impugned order dated 21.07.2025 on the ground that the petitioner has not appeared regularly to the police station as directed in earlier bail application.

4. It is the contention of the learned counsel appearing for the petitioner that the petitioner was regularly signing before the police station for 99 days and the said fact has not been disputed by the learned Government Advocate (Crl.Side).



5. On going through the entire documents placed on record it is seen that another crime number has been registered in FIR No.167 of 2025 for the similar offences and on the basis of the confession of the co-accused, the petitioner has been implicated. Further, even on the date of FIR, in the morning, the petitioner has appeared before the police station and on subsequent registration of FIR, due to apprehension of arrest, the petitioner did not appear before the police station, however, that has been taken advantage and bail has been cancelled.

6. Admittedly, the fact that the petitioner was continuously signing before the police station for 99 days is not been disputed and subsequently, the petitioner has been arrayed as an accused based on the confession of the co-accused, only in that situation, he has not appeared before the police station fearing of arrest, therefore, this Court is of the view that the trial court ought to have taken note of the filing of the similar case against the petitioner and ought not to have cancelled the bail mechanically.

7. Therefore, I am of the view that the trial court merely carried away by the submission made by the learned Assistant Public Prosecutor Grade-I and cancelled the bail. Now, it is stated by the learned Government Advocate (crl.Side) appearing for the respondent that final report has already been filed. In such view of the matter, the order of cancelling the bail passed by the learned



Crl.O.P.No.22903 of 2025

Judicial Magistrate, Sriperumpudur in Crl.M.P.No.1430 of 2025 dated

21.07.2025 is set aside and the present Petition is allowed. Consequently,
connected miscellaneous petition is closed.

19.08.2025

Index : Yes / No
Internet : Yes / No
Speaking Order / Non Speaking Order
ssd

To

- 1.The Judicial Magistre,
Sriperumpudur
- 2.State rep. By
The Inspector of Police,
Somangalam Police Station,
Kancheepuram
3. The Public Prosecutor,
High court, Madras



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Crl.O.P.No.22903 of 2025

N.SATHISH KUMAR, J.

ssd

Crl.O.P.No.22903 of 2025

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