



Crl.O.P.No.22921 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22921 of 2025

A.Akash, (M/22) (A3),
S/o.Ammasi,
Door No.1/100, Post Office Street,
Thazhambur Kancheepuram – 603 103.

... Petitioner/Accused No.1

Vs.

The State Represented by
The Inspector of Police,
Kelambakkam Police Station,
Chengalpattu District.
(Crime No.269 of 2025)

...Complainant/Respondent

Prayer: Criminal Original Petition filed under Section 483 of *Bharatiya Nagarik Suraksha Sanhita*, 2023, pleased to release the petitioner on bail pending investigation in Crime No.269 of 2025 on the file of the respondent police.

For Petitioner : Mr.G.Mageshkumar

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)



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ORDER

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The petitioner, who arrested and remanded to judicial custody on 19.07.2025, for an offence punishable under Section 329(3), 308(2), 75, 351(2) of BNS 2023 and under Section 4 of TNPHW Act 2003 in Crime No.269 of 2025 registered on the file of the respondent, seeks bail.

2. The petitioner herein was arrested on 19.07.2025 on the basis of a complaint given by one Surabhi, alleging that four persons, during night hours, entered her apartment and robbed Rs.3,000/-, one watch, an iPad, an iPhone, Apple AirPods and debit card. It is further stated that the respondent police arrested four persons and recovered the stolen articles.

3. The learned counsel appearing for the petitioner submits that he is innocent, a law-abiding citizen, and has nothing to do with the alleged crime. It is contended that the petitioner had come to the apartment of the defacto complainant only to deliver food, as he is employed with Swiggy as a delivery boy.



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4. The learned Counsel further submits that all the other accused have already been granted bail, whereas the petitioner alone still remain in prison.

5. Considering the fact that the complaint itself indicates that the complainant came out of her apartment to collect the food which had been left in the service area of the apartment and at that time four masked persons entered the house, misbehaved with her and robbed her belongings, of whom three trespassed into the house while one left the place.

6. In such circumstances, this Court is of the view that the confinement of the petitioner in prison is not required. Hence, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a likesum to the satisfaction of the learned **District Munsif cum Judicial Magistrate, Thiruporur.**

[a] The sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The



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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 petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders.

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners 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]**;

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

22.08.2025

bsm

To,

1. The District Munsif cum Judicial Magistrate, Thiruporur.
2. The Inspector of Police, Kelambakkam Police Station, Chengalpattu District.
3. The District Jail, Chengalpattu.
4. The Public Prosecutor, High Court of Madras.



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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.



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Dr.G.JAYACHANDRAN, J.
bsm

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