



WEB COPY



CrI.MP.No.17074 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

CrI.M.P.No.17074 of 2025

in

CrI.OP.No.22606 of 2025

M.Manikandan

... Petitioner

Vs.

State rep by
The Inspector of Police,
N-3, Muthialpet Police Station,
Chennai – 600 001.
(Cr.No.147 of 2025)

.. Respondent

PRAYER : Criminal Miscellaneous Petition filed under Section 528 of BNSS Act to amend the bail order passed in the above CrI.O.P.No.22606 of 2025 dated 14.08.2025 by this Court with alteration of Section 310(2) instead of Section 304(2) in connection with Crime No.147 of 2025 on the file of N3-Muthialpet Police Station, Chennai..

For Petitioner : Mr.S.Magimai Raj

For Respondent : Mr.A.Gopinath
Government Advocate (CrI.Side)



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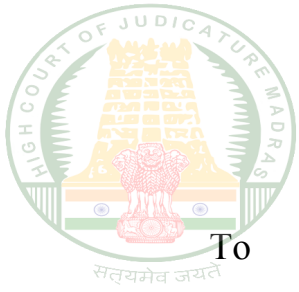
ORDER

After obtaining anticipatory bail, when the petitioner went to the Court below to furnish surety, it was found that the prosecution has altered the charge from Section 304(2) of BNS Act, 2023 to Section 310(2) of BNS Act, 2023. Hence, seeks for above amendment.

2.Considering the fact that Section 310 of BNS Act, 2023 relates to dacoity, which is a graver offence, this Court is of the view that, the reason for granting anticipatory bail for the offence under Section 304(2) of BNS Act, 2023 will not apply for the offence under Section 310(2) of BNS Act 2023. If the charge has been altered, the petitioner has to file a fresh petition for anticipatory bail, amendment is not permissible. Accordingly, this Criminal Miscellaneous Petition stands dismissed.

15.09.2025

smv



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To

WEB COPY

1. XVI Metropolitan Magistrate Court,
George Town, Chennai.
2. The Inspector of Police,
N-3, Muthialpet Police Station,
Chennai – 600 001.
3. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

smv

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