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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.10.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL MP No. 19199 of 2025

in

CRL OP No.27699 of 2025

Sidharthan

Petitioner(s)

Vs

1. The State rep by
The Inspector of Police
District Crime Branch Police Station,
Villupuram District.
Cr. No.7 of 2025

Respondent(s)

Prayer: This Criminal Miscellaneous Petition filed under Section 528 of BNSS, 2023, praying to direct the learned Judicial Magistrate, Vanur, Villupuram, to accept the surety filed by the petitioner on 13.10.2025 being CrI.M.P.Sr.No.1500 of 2025 without insisting for conversion of offence from Indian Penal Code to Bharatiya Nyaya Sanhita in the order dated 10.10.2025 in CrI.O.P.No.27699 of 2025.

For Petitioner(s): Mr.G.Vaishali
For M/s.T.Fenn Walter Associates

For Respondent(s): Mr. S. A.Gopinath,
Government Advocate
(Criminal Side)



ORDER

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This Criminal Miscellaneous Petition has been filed seeking a direction against the learned Judicial Magistrate, Vannur, to accept the surety without insisting for conversion of offence from Indian Penal Code to Bharatiya Nyaya Sanhita in the order dated 10.10.2025 in Crl.O.P.No.27699 of 2025.

2.The petitioner filed bail petition in Crl.O.P.No.27699 of 2025 seeking bail for the offence punishable under Sections 380, 420, 468 and 471 IPC and this Court vide order dated 10.10.2025 granted bail to the petitioner with certain conditions.

3.It is brought to the notice of this Court that the Sections has been altered from Sections 468, 471, 380 and 420 IPC as Sections 336(3), 340, 305 and 318(4) BNS.

4.The learned counsel for the petitioner submitted that when the petitioner approached the learned Judicial Magistrate, Vannur, to accept the surety, the learned Judicial Magistrate, refused to accept the surety and insisted the petitioner to obtain necessary orders for conversion of offence as per the alteration report. Hence, the petitioner prays for suitable orders from this Court.



5. This Court perused the records and finds that the FIR was registered by the respondent for the offence punishable under IPC sections as stated *supra* and thereafter, altered by including the equivalent sections of BNS. The alteration was also reflected in the alteration report as well as in the remand report. Therefore, in the interest of justice, the learned Judicial Magistrate, Vannur, may treat the bail order granted to the petitioner for the offence under Sections 336(3), 340, 305 and 318(4) BNS. Accordingly, this petition stands allowed. The petitioner is at liberty to produce both the orders while executing the surety before the learned Judicial Magistrate, Vannur.

14.10.2025

smv

To

1. The Judicial Magistrate, Vannur, Villupuram

2. The Inspector of Police
District Crime Branch Police Station,
Villupuram District.



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K.RAJASEKAR, J.

smv

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