



WEB COPY

Crl.O.P.No.5269 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl. O.P. No. 5269 of 2026

K. Syed Ali

... Petitioner

Vs.

The State rep., by
The Inspector of Police,
Devattipatti Police Station,
Salem District.
(Crime No.316 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on anticipatory bail in the event of arrest pending investigation in Crime No.316 of 2025 on the file of the respondent police.

For Petitioner : Mr. C. Harish

For Respondent : Mr. P. Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Section 319(2) BNS and later altered to Sections 126(2), 309(4) and 61(2) of BNS, 2023 in Crime No.316 of 2025 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the defacto complainant met the petitioner at Vellore regarding the purchase of a car. As instructed by the petitioner, the complainant went to krishnagiri on 05.07.2025 with Rs.11,00,000/- along with his friends and a rental car driver. The petitioner took them towards Dharmapuri stating that another car would be shown. On the the way, five persons posing as police officials intercepted the vehicle and asked the complainant to step out. Taking advantage of the same, the accused and the driver fled from the spot with the cash. Hence, the case.

3. The learned counsel for the petitioner submitted that both the petitioner and the defacto complainant were victims, whereas the police have registered a case against the petitioner without taking into consideration that he has also suffered due to the act of the other persons who have been arrayed as accused along with him. It is the further submission of the petitioner that he accompanied the defacto complainant only with a bonafide intention to purchase the car and that he had no premeditated intention to rob the amount possessed by the defacto complainant. Hence, he prayed for grant of anticipatory bail.

4. The said contention was stoutly objected to by the learned Government Advocate (Criminal Side) appearing for the respondent, who



submitted that there are about eight accused involved in the present case and the present petitioner was arrayed as A1. He further submitted that the petitioner is the mastermind and that all the eight accused conspired together after contacting the defacto complainant through online for the purchase of a car. Based on the promise made by A1, the defacto complainant came along with a sum of Rs.11,00,000/-. While the defacto complainant and A1 were travelling together, as per the plan of the petitioner, the other accused waylaid them by posing as police officials and robbed a sum of Rs.11,00,000/-.

4.1. He further submitted that A8 was remanded and later released on bail and that the other accused are still absconding and no recovery has been made so far. He also submitted that there is a previous case against the petitioner. Hence, he prayed for dismissal of the anticipatory bail petition.

5. I have given my anxious consideration to either side submission.

6. While considering the submissions made by the learned Government Advocate, it appears that the petitioner is the mastermind behind the entire episode. Apart from that, the learned Government Advocate further submitted that the recovery of Rs.11,00,000/- is yet to be made and that the investigation is at a nascent stage.



7. In such view of the matter, this Court is of the view that if the petitioner is enlarged on bail at this stage, there is every possibility to tampering the witnesses. Therefore, I do not find any reason to entertain the present anticipatory bail petition at this stage.

8. Hence, the Criminal Original Petition is dismissed.

02.03.2026

AT

To

1.The Inspector of Police,
Devattipatti Police Station,
Salem District.

2.The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN.J.

AT

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