



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22.01.2026**

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.1253 of 2026

Santha Kumar

... Petitioner

Vs.

State Rep by its,
Sub Inspector of Police,
G-7, Chetpet Police Station,
Chennai.

Crime No.309 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with Crime No.309 of 2025 pending investigation on the file of the Inspector of Police.

For Petitioner : Mr.K. Amirtharaj

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.12.2025 for the alleged offence under Sections 126(2), 296(b), 115(2), 118(1), 309(6), 351(3) of BNS and Section 4 of TNPHW Act in Crime No.309 of 2025 on the file of the respondent police, seeks bail.



2. The allegation against this petitioner is that the petitioner waylaid the defacto complainant and snatched the gold chain and also robbed a sum of Rs.500 at knife point.. Hence the complaint.

3. The learned counsel for the petitioner would submit that a false case has been registered against the petitioner and he is in custody from 26.12.2025. He further submitted that the petitioner is ready to abide by any condition that may be imposed by this Court. Therefore, he prays for grant bail to the petitioner.

4. The learned Government Advocate (Crl.side) reiterated the prosecution case and submitted that major part of the investigation in this case is completed and there are three previous cases pending against the petitioner. Hence, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the submissions of the learned counsel on either side and the nature of offence and the fact that even though there are three previous cases pending against the petitioner and the same are not similar in nature and considering the period of incarceration undergone by the



petitioner and major part of the investigation in this case is completed, this Court is inclined to grant bail to the petitioner on certain conditions.

7. 6. Accordingly, the petitioner is ordered to be released on bail on their executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties each** for a like sum to the satisfaction of the learned Judicial Magistrate II. M.M.Egmore and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;



[e] On breach of any of the aforesaid conditions,

the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh

FIR can be registered under Section 269 B.N.S.

22.01.2026

smn

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.



WEB COPY



K.RAJASEKAR, J.,

smn

To

1.The *Judicial Magistrate II. M.M.Egmore.*

2.The Sub Inspector of Police,
G-7, Chetpet Police Station,
Chennai.

3.The Superintendent,
Central prison-II, Puzhal,

4.The Public Prosecutor,
High Court, Madras.

CRL OP NO.1253 of 2026

22.01.2026

Page 5 of 5