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Crl.OP.No.3020 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2026

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.3020 of 2026

T.Markandayar @ Mark

... Petitioner

Vs.

The State rep by
The Inspector of Police,
Periyanaickenpalayam Police Station,
Coimbatore.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner herein on bail in
PRC.No.4 of 2026, Judicial Magistrate No.V, Coimbatore.

For Petitioner : Mr.R.C.Paul Kanagaraj

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
13.12.2025, for the alleged offence punishable under Sections 310(2) and
311 of BNS in PRC.No.4 of 2026 on the file learned Judicial Magistrate
1/7



No.V, Coimbatore in connection with Cr.No.632 of 2025 on the file of the respondent police, seeks bail.

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2. The allegations against the petitioner is that he joined hands with other accused, trespassed into the room of the defacto complainant and robbed nine mobile phones from the defacto complainant and his friends at knife point. Hence, a case has been registered and the petitioner was arrested. Hence, the present petition has been filed seeking bail.

3. This court dismissed the petitioner's earlier bail petition vide order dated 27.01.2026 in Crl.OP.No1642 of 2026 on the following reasons:

“ 6. Considering the pending recovery of mobile phones and the petitioner's involvement in nine previous case, though the investigation is completed and the final report has been filed, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.



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4. The learned counsel appearing for the petitioner submitted that some of the cases, which were committed during his juvenility, it has also been added in the previous cases list. He further submitted that the petitioner is aged about 20 years. He further submitted that the petitioner is in custody from 13.12.2025 and he is ready to cooperate with the trial process and also ready and willing to abide by any conditions that may be imposed by this court. Hence, he prayed for grant of bail to the petitioner.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and vehemently opposed for grant of bail to the petitioner.

6. Heard both sides and perused the records and other connected materials.

7. Considering the nature of allegations, the submissions made by both counsel, the age of the petitioner and the period of incarceration undergone by the petitioner I am inclined to grant bail to the petitioner, subject to certain conditions.



8. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **Judicial Magistrate-V, Coimbatore** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The 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 report before the Judicial Magistrate-V, Coimbatore on all working days at 10.30 a.m for a period of three weeks and thereafter as and when required for interrogation;*

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;



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

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

18.02.2026

Vv

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.



Crl.OP.No.3020 of 2020

To

1. The ***Judicial Magistrate-V, Coimbatore***

2. The Inspector of Police,
Periyanaickenpalayam Police Station,
Coimbatore.

3. The Central Prison, Coimbatore

4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

Vv

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