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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2026

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.3398 of 2026

Balaji

... Petitioner

Vs.

State rep by
The Inspector of Police
Poonamallee Police Station,
Avadi City.
(Cr.No.31 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail concerned
in Cr.No.31 of 2026 pending on the file of the respondent.

For Petitioner : Mr.A.M.Rahamthi Ali

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
13.01.2026, for the alleged offence punishable under Sections 126(2),
296(b),115(2), 309(4),311 and 351(3) of BNS (341,321,294(b),392,397 &
506 IPC) in Cr.No.31 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner waylaid the defacto complainant and robbed a sum of Rs.1,800/- from him at knife point. Hence the present case.

3. The learned counsel appearing for the petitioners submitted that as the petitioner is having some previous cases he has been falsely implicated in this case. He further submitted that only for the statical purpose the respondent has registered the cases against the petitioner and he is in judicial custody from **13.01.2026**. He further submitted that the petitioner is ready to co-operate with the investigation and ready to abide by any other stringent conditions that may be imposed by this Court. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner waylaid the defacto complainant and robbed a sum of Rs.1,800/- from him at knife point. He further submitted that there are two previous cases pending against the petitioner. Hence he opposed for grant of bail to the petitioners.



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

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6. Considering the above facts and circumstances of the case; the submissions made by the learned counsel on either side; though it is stated that there are some previous cases pending against the petitioner, considering the period of his incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, for a like sum to the satisfaction of the learned **Judicial Magistrate-II, Poonamallee** 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 respondent police daily at 10.30 a.m., for a period of four 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.

12.02.2026

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Note :

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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.

To

1. The **Judicial Magistrate-II, Poonamallee**
2. The Inspector of Police
Poonamallee Police Station,
Avadi City.
3. The Superintendent, Central Prison-II. Puzhal, Chennai
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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