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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.4275 of 2026

Kunju Mehamath

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Ponnerikkarai Police Station,
Kancheepuram District.
(Crime No.217 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.217 of 2025 on the file of the respondent police.

For Petitioner : M/s.A.S.Neya for
Mr.G.Anto Prince

For Respondent : Dr.C.E.Pratap
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.10.2025 for the alleged offence punishable under Section 310(2) of BNS, 2023 in Crime No.217 of 2025, registered on the file of the respondent police, seeks bail.



2. The case of the prosecution is that there are totally 17 accused in this case and the petitioner is ranked as A5. It is alleged that the petitioner joined hands with other accused and committed dacoity. It is reported that the petitioner and other accused intercepted the car of the defacto complainant and robbed a sum of Rs.4.5 crores. Hence, a case has been registered and the petitioner was arrested.

3. Earlier, this Court dismissed the bail petition filed by the petitioner in Crl.OP.No.33157 of 2025 dated 02.01.2026 on the following reasons:

“4. Considering the submission made by the learned counsel on either side and also taking note of the fact that only a part of the amount was recovered and investigation in this case is not yet completed, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, this Criminal Original Petition is dismissed”.

4. The learned counsel appearing for the petitioner submitted that the earlier bail petition was dismissed on the ground that the investigation was pending and that the petitioner is only a driver and had not actively participated in this case. She further submitted that no amount was recovered from the petitioner and that two other co-accused was also released on bail by the Sessions Court. Hence, he prays to grant bail to the petitioner.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the



petitioner is one of the main accused in this case and that he joined hands with other accused waylaid the car in which the defacto complainant was travelling, abducted him along with the car and robbed a sum of Rs.4.5 crores. He further submitted that the petitioner has two previous cases pending against him. Hence, he opposed to grant bail to the petitioner.

6. This Court, on perusal of the order passed by the Sessions Court in CrI.MP.No.233 of 2026 dated 30.01.2026, finds that the Sessions Court had not at all considered the gravity of offence and proceeded as if the co-accused bail petition was dismissed by this Court on the ground that the investigation is pending and now the investigation has been completed, and the petitioner is entitled to bail.

7. Considering the above facts and circumstances of the case, this Court is of the view that the gravity of offence has not been taken into consideration and the robbed amount was also not fully recovered and that the petitioner has two previous cases, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

20.02.2026

drl



To

1.The Inspector of Police,
Ponnerikkarai Police Station,
Kancheepuram District.

2.The Public Prosecutor,
High Court, Madras.





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K. RAJASEKAR, J.

drl

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