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CRL OP No. 3930 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 3930 of 2026

Venkatesh @ Surutai Venkatesh
S/o. Gopi
68/55, 5th Street,
Annai Sivakami Nagar,
Kathivakkam, Ennore,
Thiruvottiyur,
Chennai - 600 057.

..Petitioner(s)

Vs

State of Tamil Nadu represent through the
Inspector of Police,
M-5 Ennore Police Station,
Avadi City, Chennai

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, To enlarge the Petitioner on Bail in the event of
his arrest concerned in Crime Number 41 of 2026 on the file of the respondent
police and thus render justice.

For Petitioner(s):

A S Bhuvaneswaran

For Respondent(s):

M/S.J.R.Archana

Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police
for the alleged offences punishable under Sections 191(2), 191(3), 126(2),
296(b), 309(4), 311 and 351(3) of BNS in Crime No.41 of 2026, seeks



anticipatory bail.

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2. The allegation against the petitioner is that the petitioner herein is ranked as A4 and it is alleged that the petitioner joined hands with five other accused had involved in robbery and snatched a sum of Rs.1,300/- from the de facto complainant. Hence, the complaint has been lodged.

3. The learned counsel for the petitioner would submit that the petitioner was earlier arrested and released on bail and subsequently the persons, who are associated with him were involved in a case in Crime Number 40 of 2026, however the petitioner did not participate in such offence. Hence, other persons were arrested and this petitioner is also included in the FIR as if he was also present along with them and it is a false accusation. Therefore, he prays for grant of anticipatory 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 is having a bad antecedent of having 15 previous cases and between 2.2.2026 and 3.2.2026, the petitioner joined hands with other accused involved in totally 3 cases and he was not arrested in any of the case. Hence, she vehemently opposed the grant of anticipatory bail to the petitioner.



5. I have gone through the FIR and other connected materials which shows that this petitioner joined hands with other accused involved in committing robbery of Rs.1,300/-, however all the other accused were arrested except this petitioner and it is alleged that the petitioner is having previous cases. Considering the manner in which the FIR came to be registered, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Thiruvottiyur**, on condition that **the petitioner shall execute 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 Magistrate concerned, and on further condition:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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 identify proofs to ensure their identity;



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(c) **The petitioner shall report before the Trial Court everyday at 10.30 a.m., for a period of two weeks.**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

20-02-2026

MPA

To

- 1.The Judicial Magistrate, Thiruvottiyur.
- 2.State of Tamil Nadu represent through the
Inspector of Police,
M-5 Ennore Police Station,
Avadi City,Chennai.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MPA

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