



WEB COPY

CRL OP No. 5708 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5708 of 2026

Santhosh

..Petitioner(s)

Vs

The State rep.by,
The Inspector of Police,
D-4 Padalam Police Station,
Chennai.
Cr.No.2 of 2026.

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in connection with the Cr.No.02 of 2026 on the file of the Respondent Police.

For Petitioner(s):

Mr.D.Padmanabhan

For Respondent(s):

Mr.S.Vinoth Kumar

Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.01.2026 for the alleged offence under Section 311 of BNSS (379 I.P.C) in Crime No.2 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner has snatched one sovereign of gold chain from the defacto-complainant. Hence the case.



3.The learned counsel for the petitioner submitted that the petitioner is innocent and has been in judicial custody since 05.01.2026. Hence, he submitted that this is a fit case in which the petitioner may be enlarged on bail.

4.The learned Government Advocate (Criminal Side) appearing for the respondent would fairly submits that this is a case of theft of one sovereign of gold ring. He further submits that the stolen property has been recovered. However, he opposed for grant of bail to the petitioner.

5.From the perusal of the facts that the petitioner is under incarceration, since 05.01.2026 and the co-accused has also released on bail on 19.02.2026 in Crl.O.P.No.4155 of 2026. Therefore, this Court is of the view that a parity may also be given to the petitioner in tune with the co-accused. Hence, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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) each, with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Maduranthakam**, and subject to the following conditions:

[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 three weeks; 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 aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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C.KUMARAPPAN, J.

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To

1.The Judicial Magistrate II, Maduranthakam.

2.Central Prison, Puzhal II, Chennai.

3.The Inspector of Police
D-4 Padalam Police Station,
Chennai.

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