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CRL OP No. 5825 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5825 of 2026

1. Sanjay Alias Motta Pops
Son of Jayaraman,
Residing at No.99, Round Building,
Devar Nagar, Padi, Tiruvallur District.
2. Lokesh Alias Lucky
Son of Adhisiva,
Residing at No.99, Round Building,
Devar Nagar, Padi, Tiruvallur District.

..Petitioner(s)

Vs

The State Rep by:

The Inspector of Police Station,
T-2 Ambattur Estate Police Station,
Tiruvallur District.
[Crime No.53/2026]

..Respondent(s)

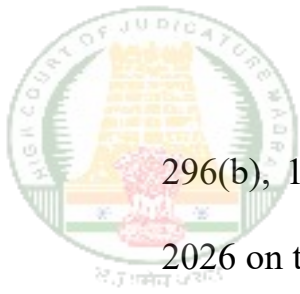
PRAYER: This Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioners on bail in Crime No.53 of 2026 pending investigation on the file of the Respondent police.

For Petitioner(s): A.Samson

For Respondent(s): Mr. S. Vinoth Kumar,
Government Advocate (Criminal side).

ORDER

The petitioners, who were arrested and remanded to judicial custody on 05.02.2026 for the alleged offences under Sections 191(2), 191(3), 126(2),



296(b), 115(2), 118(1), 309(4), 311 and 351(3) of B.N.S. in Crime No.53 of 2026 on the file of the respondent police, seek bail.

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2. The *case of the prosecution* is that on 05.02.2026 at about 11 a.m. near Vanagaram Metro Station Flyover, the accused waylaid the defacto complainant and demanded money. When the defacto complainant refused to give money, the petitioners assaulted him and robbed Rs.750/- from his pocket at knife point and threatened him with dire consequences. Hence the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons, that they have not committed any offence as alleged by the prosecution and that co-accused have already been released on bail vide order of this Court in Crl.O.P. Nos.5051 of 2026 and 4479 of 2026 and hence prays to enlarge the petitioners on bail.

4. At this juncture, the learned Government Advocate (Criminal side) appearing for the respondent police strongly objected to enlarge the petitioners on bail on the ground that there are five previous cases against each of the petitioners.

5. While looking at the factual position that the co-accused were granted bail and taking into consideration the period of incarceration of the petitioners



from 05.02.2026, this Court is of the view that no more custodial interrogation of the petitioners is required. Hence, this Court is inclined to grant bail to the petitioners, subject to the following stringent conditions:

7. Accordingly, the petitioners are ordered to be released on bail on each of them 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, Ambattur** 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 petitioners shall report before the respondent police daily at 10.30 a.m. and 5.30 p.m. for a period of 45 days and thereafter as and when required for interrogation;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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 vs. State of Kerala [(2005)13 SCC 283]:

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

06-03-2026

MJS

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.

To

1. The Judicial Magistrate, Ambattur.
2. The Inspector of Police Station, T-2 Ambattur Estate Police Station, Tiruvallur District.
3. The Superintendent of Police, Central Prison, Puzhal-II, Chennai.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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