



WEB COPY

CRL OP No.6993 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No.6993 of 2026

Paul Devakumar,
S/o.Devadoss,
No.181/69, 5th Street,
Kannigapuram,
Perambur,
Barracks,
Chennai - 600 012.

...Petitioner/A2

Vs

Stat Rep by its,
The Inspector of Police,
C-3, Seven Wells Police Station,
Chennai.
(Cr.No.20 of 2026

...Respondent/
Complainant

Prayer: Criminal Original Petition filed under Section 482 of B.S.S.S., to enlarge the petitioner on Anticipatory Bail in the event of his arrest by the respondent police in Crime No.20 of 2026, pending on the file of respondent police.

For Petitioner:

M/s.Johnson Yuvaraj V

For Respondent:

Mr.P.Dhileepan
Government Advocate (Crl.Side)



ORDER

The petitioner/A2, who apprehends arrest for the alleged offence **under Sections 306 & 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023**, in **Crime No.22 of 2025**, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner/A2, along with other accused, had stolen the musical instruments in the *de-facto* complainant's godown. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the *de-facto* complainant and he has been falsely implicated in this case. He also submitted that the co-accused in this case was arrested and released on bail before the learned VIII Metropolitan Magistrate, George Town, Chennai, in Crl.M.P.No.823 of 2026 dated 28.02.2026. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate for investigation. Hence, he prays to grant anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution's case and, upon instructions, submitted that the petitioner has been charged for misappropriation of Rs.49.49 lakhs. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5. Heard the submission made by the learned counsel on either side and perused the materials available on record.

6. From the submissions made by the learned Government Advocate (Crl.Side), the petitioner has been charged for misappropriation of Rs. 49.49 lakhs. However, the learned counsel for the petitioner/A2 stoutly denied the same and would invite the attention of this Court in the FIR. According to the FIR, it was a misappropriation of Rs.7,500/- (Rupees Seven Thousand Five Hundred Only) worth of two keyboards and Rs.1,60,000/- (Rupees One Lakh Sixty Thousand Only) by A1. Whereas this petitioner is only A2. It is the further submission of the petitioner that A1 had already been released on bail by the Magistrate Court on 28.02.2026. This factum is not seriously disputed by the learned Government Advocate (Crl.Side).

7. Taking into consideration of the date of occurrence, namely 07.02.2026, and upon the ground that the co-accused has already been released



on bail, this Court is of the view that no custodial interrogation of the petitioner is necessary. In such a view of this position, this Court is inclined to enlarge the petitioner on anticipatory bail subject to certain conditions:

8. Accordingly, the petitioner is ordered to be released on anticipatory 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 is made ready, before the **learned VIII Metropolitan Magistrate, George Town, Chennai**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner 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;

(c) **The petitioner shall report before the respondent police, twice a day at 10.30 a.m., and 5.30 p.m., for a period of eight weeks and thereafter, as and when required for interrogation;**



WEB COPY



(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

18-03-2026

dk

To

1. The VIII Metropolitan Magistrate,
George Town, Chennai.
2. The Inspector of Police,
C-3, Seven Wells Police Station,
Chennai.
3. The Public Prosecutor
High Court of Madras.



WEB COPY

CRL OP No.6993 of 2



C.KUMARAPPAN, J.

dk

CRL OP No. 6993 of 2026

18-03-2026