



WEB COPY

CRL OP No.7158 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.7158 of 2026

Rajesh
S/o.Kathiresan,
No.6, Kuthalamman Kovil 2nd Street,
Thulasingapuram,
Nandhambakkam,
St.Thomas Mount,
Kancheepuram District.

...Petitioner/Accused
(Rank not Known)

Vs

State by,
Inspector of Police,
R11 - Ramapuram Police Station,
Chennai District.
Cr.No.349 of 2025.

...Respondent/
Complainant

Prayer : Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioner on bail in the event of his arrest by the respondent police in Crime No.349 of 2025 on the file of Inspector of Police, R11-Ramapuram Police Station, Chennai District or on his appearance before the concerned court.

For Petitioner :

Mr.S.Sasikumar

For Respondent :

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



ORDER

The petitioner, who apprehends arrest for the alleged offence **under Sections 303(2) of the Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.349 of 2025**, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was involved in the theft of 66 Grids (Strom Water Drainage Grid) which are worth about Rs.3,00,000/- (Rupees Three Lakhs Only). 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 defacto complainant and he has been falsely implicated in this case. He also submitted that the occurrence took place on 27.09.2025 and that the petitioner has served 41A summons and now that the police is hurriedly attempting to arrest the petitioner. 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 property has not been recovered. Hence, he opposed to grant anticipatory bail to the petitioner.



WEB COPY

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

6. Considering the factual position submitted by the petitioner's counsel that the petitioner has already been issued summon under Section 41A of the Criminal Procedure Code (Cr.P.C.); and that taking into consideration of the date of occurrence namely on 27.09.2025, this Court is of the firm view that the custodial interrogation of the petitioner does not require. In such view of this position, this Court is inclined to enlarge the petitioner on anticipatory bail subject to certain conditions:

7. 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 Judicial Magistrate No.I, Poonamallee**, 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 thirty (30) days and thereafter, as and when required for the interrogation;

(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 Judicial Magistrate No.I,
Poonamallee.

2. The Inspector of Police,
R11 - Ramapuram Police Station,
Chennai District.

3. The Public Prosecutor
High Court of Madras.

CRL OP No.7158 of 2



WEB COPY



WEB COPY

CRL OP No.7158 of 2



C.KUMARAPPAN, J.

dk

CRL OP No. 7158 of 2026

18-03-2026