



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7139 of 2026

Dinesh

..Petitioner

Vs

State rep by,
The Station House Officer,
Inspector of Police,
Kallakurichi Police Station,
Kallakurichi District.
Crime No. 567 of 2025

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in pending investigation in Crime No. 567 of 2025 on the file of the respondent police.

For Petitioner:

Mr.V.Gunasekar

For Respondent:

Mr.S.Vinoth Kumar,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.02.2026 for the alleged offences under Section 309(4) of the Bharatiya Nyaya Sanhita, 2023 @ Section 392 of Indian Penal Code, 1860, subsequently it was altered as 310(2) of BNS @ Section 395 of Indian Penal Code, 1860 in Crime No.567 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that on 12.09.2025, the defacto complainant after finishing her work, was proceeding to her house, when the petitioner along with other accused wrongfully restrained her and forcibly snatched about 63 grams of gold chain (7½ sovereigns). Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated and has not committed any offence as alleged. It is submitted that the petitioner has been remanded to judicial custody on 11.02.2026. The learned counsel would further submit that even according to the prosecution, the alleged gold chain has already been recovered. It is also submitted that the petitioner has no previous criminal antecedents. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent opposed the bail application and submitted that the petitioner along with other accused committed chain snatching of 7½ sovereigns from the defacto complainant. It is further submitted that the offence is serious in nature involving robbery. However, it is fairly submitted that the stolen property has been recovered and no previous case has been pending against the petitioner.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.



6. From the submission of the learned counsel on either side, this Court is of the view that the petitioner has been in incarceration since 11.02.2026. It is also seen that the alleged chain has already been recovered and the petitioner has no previous case. Though the Government Advocate (Crl.Side) opposed, considering the gravity of allegation, on the ground of recovery of property and absence of previous case, this Court is inclined to enlarge the petitioner on bail, subject to certain conditions.

7. 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), with two sureties for a like sum each to the satisfaction of the learned **Judicial Magistrate-I, Kallakurichi**, 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 twice a day at 10.30 a.m. and 05.30 p.m. until further orders;

[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 petitioners in accordance with law as if the conditions had been imposed and the petitioners 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.

8. It is made clear that no petition seeking relaxation of the above conditions shall be entertained within a period of sixty (60) days from the date of release of the petitioner.

18-03-2026

NSL



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-I, Kallakurichi
2. The District Jail, Villupuram.
3. The Station House Officer, The Inspector of Police,
Kallakurichi Police Station, Kallakurichi District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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