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CRL OP No. 8231 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8231 of 2026

Alla Bakash

..Petitioner

Vs

The State Rep.by,
The Inspector of Police,
S7, Madipakkam Police Station,
Chennai - 600 091.
Cr.No.1111 of 2025.

..Respondent

Prayer: Criminal Original Petition filed under section 482 of BNSS to grant an order directing the Respondent Police to release the Petitioner / Accused No.6 on bail in the event of his arrest in connection with Cr.No.1111 of 2025 on the file of the S7, Madipakkam Police Station.

For Petitioner:

Mr.Che Guvera

For Respondent:

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

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 318(4) and 306 of the Bharatiya Nyaya Sanhita, 2023 in Crime No.1111 of 2025 on the file of the respondent police seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner along with other persons misappropriated the Trust property. Totally, there are eight accused and the present petitioner has been arrayed as A6. The occurrence took place on 16.10.2024 and FIR was registered on 29.10.2025.

3. The learned counsel for the petitioner submitted that the petitioner was innocent and that he has been falsely implicated in this case. 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 case and submitted that some of the co accused were already been released on bail in Crl.OP.No.2888 of 2026 for A4, Crl.MP.No.395 of 2026 for A3. However, he opposed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

6. Considering the facts and circumstances of the case and also considering the submission of either side, it is clear that some of the co-accused



were already been enlarged on anticipatory bail. Apart from that the occurrence took place in the year 2024 and now the age of the petitioner is 83 years. Hence, this Court is the firm view that at this length of time, custodial interrogation of the petitioner is not required. 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 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-II at Alandur, 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 learned 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 as and when required for interrogation;

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(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.

09-04-2026

SHL

To:

1. The Judicial Magistrate-II,
Alandur, Chennai
2. The Inspector of Police,
S7, Madipakkam Police Station,
Chennai - 600 091.
3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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