



WEB COPY

CRL OP No. 10094 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 10094 of 2026

1. M.Padma
2. Sumesh

..Petitioners

Vs

The Inspector of Police
Sipcot Police Station,
Gummidipoondi,
Thrivallur District.
(Crime No.93 of 2026)

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to release the petitioner in event of arrest by the respondent in crime No.93/2026 (on the file of the Inspector of police, sipcot police station, Gummidipoondi, Thiruvallur District).

For Petitioners:

Mr.E.Ravi

For Respondent:

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

ORDER

The petitioners apprehends arrest for the alleged offence under Sections 316(3), 316(4) and 318 BNS in Crime No.93 of 2026 on the file of the respondent police seek anticipatory bail.



2. The case of the prosecution is that the petitioners herein stole TMT iron bars of the de facto complainant c. Hence, this case.

WEB COPY

3. The learned counsel for the petitioners submitted that there are about four accused and the present petitioners are A3 and A4. The 1st petitioner is mother and 2nd petitioner is son of the 1st petitioner. He further submitted that the petitioners were not involved in the crime, as they were only hired as lorry owners by A2 and A3 to transport the TMT iron rods. Hence, he prayed to grant anticipatory bail to the petitioners.

4. At this juncture, the learned Government Advocate (Crl.Side) submitted that occurrence took place on 18.03.2026 and these petitioners are lorry owners. Except the above overt act, there are no other material allegation against these petitioners and as per the prosecution, theft was committed by A1 and A2. However, he opposed to grant anticipatory bail to the petitioners.

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

6. Considering the facts and circumstances of the case and also taking into consideration of the factual position and upon the fact that the 1st petitioner being woman, this Court is of the firm view, at this length of time, custodial



interrogation of the petitioners is not required. Hence, this Court is inclined to enlarge the petitioners on anticipatory bail subject to certain conditions.

WEB COPY

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned District Munsif cum Judicial Magistrate, Gummidipoondi, Tiruvallur District**, on condition that **the petitioners shall execute a separate 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 petitioners 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 petitioners shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;**



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

22-04-2026

SHL

To:

1. The District Munsif cum Judicial Magistrate,
Gummidipoondi, Tiruvallur District

2. The Inspector of Police
Sipcot Police Station,
Gummidipoondi,
Thiruvallur District.

3. The Public Prosecutor
High Court of Madras



WEB COPY

CRL OP No. 10094 of 2



C.KUMARAPPAN J.

SHL

CRL OP No. 10094 of 2026

22-04-2026