



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-04-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 11319 of 2026

Surya Prakash

..Petitioner

Vs

State Rep. by
Inspector of Police,
Omalur Police Station,
Omalur, Salem District.
(Crime No.158 of 2026)

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.158 of 2026 pending on the file of the respondent.

For Petitioner:

Mr.B.Jawahar

For Respondent:

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.03.2026 for the alleged offences under Sections 296(b), 318(4), 351(3) of Bharatiya Nyaya Sanhita, 2023 in Crime No.158 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner borrowed a sum of Rs.2,20,000/- from the defacto complainant by pledging a car and thereafter



took away the car using another key, thereby committing the alleged offence.

Hence, the case was registered.

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3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and no such loan was borrowed from the defacto complainant. It is submitted that the petitioner is no way connected with the said car. The learned counsel would further submit that the prosecution case itself is doubtful, as no lender would advance money without verifying the ownership of the vehicle. It is also submitted that the entire case is a false story developed by the defacto complainant. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner was arrested on 26.03.2026. He would submit that there is no previous case pending against the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioner, this Court is inclined to



grant bail to the petitioner with certain conditions.

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7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties for a like sum each to the satisfaction of the **learned Principal Sessions Court, Salem**, 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 daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation;

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

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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 Principal Sessions Court, Salem.
2. The Central Prison, Salem.
3. The Inspector of Police, Omalur Police Station, Omalur, Salem District.
4. The Public Prosecutor, High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

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