



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 11942 of 2026

Muthu
S/o. Arumugam,
No.5, Kabali Nagar,
4th Street,
Triplicane,
Chennai District.

..Petitioner(s)

Vs

State Rep. by The Inspector of Police
E-3, Mylapore Police Station,
Chennai.
Crime No. 179/2026.

..Respondent(s)

Criminal Original Petition is filed under Section 483 of BNSS to enlarge the petitioner on bail concerned in Crime No. 179 of 2026 on the file of the respondent police on such terms and conditions as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner(s):

Mr.R.Parthiban

For Respondent(s):

Mr.R.Vinothraja
Government Advocate (Crl.Side)

Order

The petitioner/Accused, who was arrested and remanded to judicial custody on 02.04.2026 for the offences punishable under Section 305 of BNS



Act, 2023 in Cr. No.179 of 2026, on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner had stolen the silver articles by trespassing into the house of the defacto complainant. Hence the case.

3. The learned counsel for the petitioner would contend that the petitioner has been falsely implicated in this case. The petitioner is an innocent and he is nothing to do with the alleged offences. The earlier bail applications filed by the petitioner before the Trial Court were dismissed. He is in judicial custody from 02.04.2026 and he is an unnamed accused in the FIR. Therefore prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that this petitioner has robbed the house of the defacto complainant. Based on the complaint given by the defacto complainant, the case was registered against the petitioner. It is further submitted that the stolen articles were recovered by the Police and similarly there are 11 other previous cases pending against the petitioner. Hence, he strongly opposed to grant bail to the petitioner.

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

6. Considering the rival submissions made on either side, considering



the nature of offences and the fact that the petitioner is in judicial custody from 02.04.2026, and though the petitioner has 11 previous cases, in all the cases, he was granted bail and further the fact that the stolen articles were recovered and the petitioner is an unnamed accused in the FIR, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned XVIII Metropolitan Magistrate, Saidapet, and on further conditions that:

[b] the petitioner shall report before the respondent Police, daily at 10.00 a.m. until further orders;

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and



the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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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 Inspector of Police
E-3, Mylapore Police Station,
Chennai.
Crime No. 179/2026.

2.XVIII Metropolitan Magistrate, Saidapet.

3.The Superintendent of Prisons,
Central Prison, Puzhal.

4.The Public Prosecutor,
Madras High Court.



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P.DHANABAL J.

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