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CRL OP No. 12167 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12167 of 2026

Abishek

..Petitioner(s)

Vs

State rep by the Inspector of Police
Kanakammachatram Police Station,
Thiruvallur District
Cr.No.239 of 2025

..Respondent(s)

Prayer: The Criminal Original Petition is filed under Section 483 of B.N.S.S., to enlarge the petitioner on bail in Cr.No.239 of 2025 on the file of the Inspector of Police, Kanakammachatram Police Station, Thiruvallur District.

For Petitioner(s):

Mr. P.Chandrasekar

For Respondent(s):

Mr.R.Vinoth Raja
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.02.2026 for the offences punishable under Sections 309(4), 311 of BNS @ 190, 310(2), 61(2) of BNS in Cr. No. 239 of 2025 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the defacto complainant was working as Supervisor in TRS Enterprises, was collecting money on behalf of the Company and he collected totally Rs.17,25,000/-and it is alleged that on 31.12.2025 at about 01.50.p.m., while he was coming in his two wheeler, the petitioner along with other accused came in a bike, waylaid the defacto complainant and demanded money and when he refused, petitioner assaulted him with knife and robbed Rs.17,25,000/- at knife point. Hence, the case.

3. The learned counsel for the petitioner would contend that the petitioner is under judicial custody since 28.02.2026. He further submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that A1 to A3 were arrested and released on bail. Therefore he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the offences are grave in nature, part of the amount was recovered and further submitted that the petitioner has no previous case. However, he opposed for grant of bail to the petitioner.



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

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6. Considering the rivals submissions made on both sides, the fact that major part of the amount has been recovered and the fact that co-accused were enlarged on bail and also taking into consideration the period of incarceration undergone by the petitioner, 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 **Judicial Magistrate, Tiruthani** and on further conditions that:

[b] the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders;

[c] the petitioner shall not commit any offence similar to the offence of which she is accused, or suspected, or of the commission of which she 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 her 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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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, Tiruthani
2. The Inspector of Police
Kanakammachatram Police Station,
Thiruvallur District
3. The Superintendent
Central Prison, Puzhal.
4. The Public Prosecutor,
Madras High Court.



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P.DHANABAL, J.

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