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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 13019 of 2026

Mukesh

..Petitioner(s)

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
M-5 Ennore Police Station,
Chennai.

..Respondent(s)

Criminal Original Petition filed under Section 483 of BNSS to enlarge them on bail pending investigation of the case in the Crime No.145 of 2026 on the file of the Inspector of Police, M 5 Ennore Police Station, Chennai.

For Petitioner(s): Mr.M.Illiyas

For Respondent(s): Mr.R.Vinothraja,
Government Advocate (Crl. Side)

ORDER

The petitioner/A2, who was arrested and remanded to judicial custody on 23.03.2026, for the offences under Sections 126(2), 296(b), 309(4), 311, 351(3) of BNS, in Crime No.145 of 2026 on the file of the respondent Police, seeks bail.



2.The case of the prosecution is that, on 23.03.2026 at about 13.30 hours, when the *de facto* complainant was proceeding to Katthivakkam High Road, near Birundhavanam Nagar Junction, the petitioner and other accused persons waylaid the *de facto* complainant and demanded money and robbed a sum of Rs.1,000/- at knife point and threatened him of dire consequences. Hence, the case.

3.Learned counsel for the petitioner would submit that the petitioner is innocent and has nothing to do with the alleged offence. He would further submit that, even in the previous cases pending against the petitioner, bail was granted to him. The learned counsel would further submit that the petitioner is in incarceration for nearly two months and therefore, prays for grant of bail.

4.*Per contra*, Mr.R.Vinothraja, learned Government Advocate (Crl. Side), appearing for the respondent Police, would submit that the petitioner is a history sheeter and there are three previous cases pending against the petitioner and if the petitioner is enlarged on bail, there is every possibility of him tampering the witnesses. Hence, he opposes for grant of bail.

5.Heard the learned counsel on either side and perused the entire materials on record.



6. Considering the rival submissions and the nature of offence and also considering the amount of money involved in this case and though there are three previous cases pending against the petitioner, which are of similar nature, in all the cases, bail was granted to him, and also having regard to the period of incarceration undergone by the petitioner for nearly two months, I am inclined to grant bail to the petitioner, subject to certain conditions:

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 each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruvottiyur, and on further conditions that:

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

[b] 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;

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

[d] 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;



[e] 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]*.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

14-05-2026

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

MKN

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,
Thiruvottiyur.
- 2.The Inspector of Police,
M-5 Ennore Police Station,
Chennai.



3. The Public Prosecutor,
High Court, Madras.

4. The Superintendent,
Central Prison,
Puzhal.



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P.DHANABAL J.

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