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CRL OP No. 12399 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. 12399 of 2026

Rohit @Rohitraj
S/o. Selvam,
No.5, G Block, Old Bus Stand Backside,
Shenoy Nagar, Chennai - 600 012

..Petitioner(s)

Vs

State rep. by the Inspector of Police
K-3 Aminjikarai Police Station,
Chennai

..Respondent(s)

Criminal Original Petition is filed under Section 483 of BNSS to enlarge the petitioner on bail in SC.No.293 of 2022 on the file of pending before the XXI Additional Sessions Judge, Chennai and thus render justice

For Petitioner(s): Mr.A.G.Abdul Kareem

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

Order

The petitioner/Accused, was surrendered after issuance of NBW and remanded to judicial custody on 18.02.2026 for the offences punishable under Sections 147, 148, 149, 341, 294(b), 506(ii), 302, r/w. 120(B), 109 and 212 of IPC in connection with S.C.No.293 of 2022 in Cr. No.257 of 2022, on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner had stolen golden ornaments from the defacto complainant. Hence the case.

3. The learned counsel for the petitioner would contend that the petitioner/A2 unable to appear before this Court on 05.02.2026 due to his leg injury and filed 355 BNS petition and it was dismissed. NBW was issued and he voluntarily surrendered and was remanded on 18.02.2026 and he is in custody for more than 83 days. Therefore prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the case is pending before the XXI Additional Sessions Court and posted for framing of charges. Therefore, the learned Government Advocate opposed the grant of bail to the petitioner.

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

6. It is seen that due to non-appearance of the petitioner before the trial Court, Non Bailable Warrant was issued and the petitioner was surrendered and he is in prison till date. Considering the above facts and circumstances of the case and also the incarceration period of the petitioner from 18.02.2026, 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 V Metropolitan Magistrate, Egmore, and on further conditions that:

[b] the petitioner shall report before the XXI Additional Sessions Judge, Chennai, 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.

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To

The Inspector of Police
K-3 Aminjikarai Police Station,
Chennai.

2. The XXI Additional Sessions Judge, Chennai.

3.V Metropolitan Magistrate, Egmore.

4.The Public Prosecutor,
Madras High Court.



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P.DHANABAL J.

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