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CRL OP No. 12833 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12833 of 2026

Sadam Hussain

..Petitioner(s)

Vs

The State Rep. by
The Inspector of Police
Chengam Police Station,
Tiruvannamalai District
(Crime No. 19 of 2026)

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, 2023, praying to enlarge the petitioner on bail in the event of arrest in Crime No. 19 of 2026 on the file of the respondent police station and thus render justice.

For Petitioner(s): Mr.E.Sathiyaraj Elangovan

For Respondent(s): Mr.S.Balaji
Government Advocate (Crl. Side)

ORDER

The petitioner who apprehends arrest in the hands of the respondent police for the offences punishable under Section 303(2) of BNS Act, 2023 (Corresponding Section 379 of IPC) in Crime No. 19 of 2026, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant was working in Gunsite Services Security Group guarding an Airtel tower (INDUS



ID-1134848) installed in the land belonging to M.Dhamodharan and maintained by one Suresh. On 31.12.2025, the said Suresh visited the tower and found 24 numbers of Amararaja 600 ah Batteries missing. Hence, he lodged a complaint dated 20.01.2026 to the respondent police and they registered an FIR in Crime No. 19 of 2026. Hence the case.

3.Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he runs a waste scrap shop, and he has been falsely implicated in this case solely based on the confession statement of the co-accused. He further submitted that this is a second anticipatory bail petition, the co-accused (Accused 1 to 4) who were arrested and remanded have already been released on bail, and although the petitioner has some previous cases pending against him, bail was granted to him in all those cases. He further submitted that the petitioner is ready to abide by the conditions that may be imposed by this Court. Hence, he prayed anticipatory bail for the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner has some previous cases pending against him. He further submitted that the co-accused have already been released on bail. Hence, he vehemently opposed to grant anticipatory bail to the Petitioner.



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

6. Considering the rival submissions made by the learned counsel on either side, the nature of offences, the fact that the petitioner was implicated solely based on the confession statement of the co-accused, the fact that the co-accused have already been released on bail, and also the fact that the petitioner has been granted bail in all his pending previous cases, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court, Chengam, Tiruvannamalai District on condition that the petitioner shall 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 Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police on every Saturday at 10.00 a.m for a period of four weeks and thereafter as and when required for interrogation;

[b] 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 them from disclosing such facts to the Court or to any police officer;



[c] the petitioner shall not leave India without the previous permission of the Court;

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

[e] On breach of any of the aforesaid conditions, the learned 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 abscond, a fresh FIR can be registered under Section 269 BNSS, 2023.

14-05-2026

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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:

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- 1.The Magistrate Court, Chengam,
Tiruvannamalai District.
- 2.The Inspector of Police
Chengam Police Station,
Tiruvannamalai District.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.



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P.DHANABAL, J.

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