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CRL OP No.12806 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.05.2026

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No.12806 of 2026

Rabin
S/o. Arul,
No.1832, 71st Cross Street,
Dr.Ambedkar Nagar, Adambakkam,
Chennai – 600 088.

... Petitioner / Accused

Vs.

The State Rep by
The Inspector of Police,
S-8, Adambakkam Police Station,
Chennai.
(Crime No.402 of 2024)

... Respondent /Complainant

PRAYER :- Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail to the petitioner in Crime No.402 of 2024 on the file of the respondent-police.

For Petitioner : Mr. S.N.Arun Kumar

For Respondent : Mr.L.Baskaran
Government Advocate (Criminal Side)



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ORDER

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This Criminal Original Petition has been filed by the petitioner on 12.05.2026 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023 praying to grant bail.

2. The petitioner/accused was arrested and remanded to judicial custody on 09.10.2024 for the alleged offences punishable under Sections 126(2), 296(b), 309(4), 311, 351(3), 125 and 324(4) of BNS in Crime No.402 of 2024 on the file of the respondent police.

3. The case of the prosecution is that the petitioner waylaid the de facto complainant, threatened him at knife point, and robbed a sum of Rs. 2,500. It is further alleged that the petitioner conspired with the other accused and executed the commission of the offence. Hence, the case.

4. Mr.S.N.Arun Kumar, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been in judicial custody since 09.10.2024 and that the alleged amount has already been recovered. He further submits that the



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petitioner has already been enlarged on bail in the previous cases. He further submits that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. He therefore prays to grant bail to the petitioner.

5. *Per contra*, Mr.L.Baskaran, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there are 43 previous cases against the petitioner. Therefore, he contends that, if the petitioner is released on bail, there is a high possibility of committing similar offences while he is in bail and also causing threat to the defacto complainant. Hence, he prays for the dismissal of this petition.

6. Heard on both sides. This Court has perused the records.

7. The petitioner was arrested and he has been in incarceration since 09.10.2024. The petitioner has permanent residence and therefore, there is less possibility of absconding. Considering the same and also taking into account that the alleged amount has already been recovered and that petitioner has already been enlarged on bail in the previous cases, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner



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subject to the following conditions:

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(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned Judicial Magistrate-II, Alandur.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate-II, Alandur. shall obtain a copy of any one of their identity proofs to ensure their identity.

(iii) The petitioner shall stay at Villupuram and appear and shall sign before the learned Judicial Magistrate-I, Villupuram, twice a day, at 10.30 a.m. and 05.30 p.m., until further orders.

(iv) The petitioner shall furnish his residence address and mobile number to the learned Judicial Magistrate-II, Alandur.

(v) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023.

(vi) The petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.



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(vii) 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 or tamper with the evidence.

(viii) The petitioner shall also not directly or indirectly, cause any threat to the defacto complainant, victims and witnesses.

(ix) The petitioner shall not try to contact the defacto complainant either directly or through any electronic mode.

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate-II, Alandur, or Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in ***P.K. Shaji vs. State of Kerala*** [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

20.05.2026

dpa



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Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.

2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order, when uploaded on the official website of this Court, will be watermarked and will also have a QR code.

To

- 1.The learned Judicial Magistrate-II, Alandur.
- 2.The learned Judicial Magistrate -I, Villupuram.
- 3.The Superintendent of Prison,
Central Prison, Coimbatore.
- 4.The Inspector of Police,
S-8, Adambakkam Police Station, Chennai.
5. The Public Prosecutor,
Madras High Court, Madras.



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R. SAKTHIVEL,J

dpa

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