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CRL OP No. 14438 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14438 of 2026

1. Umar Noor
2. Mohammed jalalutheen

..Petitioners

Vs

The Inspector of Police
E-5, Police Station,
Sozhavaramm,
Crime No.264/2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on anticipatory bail in the event of arrest on connection with Crime No.264 of 2026 pending investigation on the file of the respondent police.

For Petitioners:

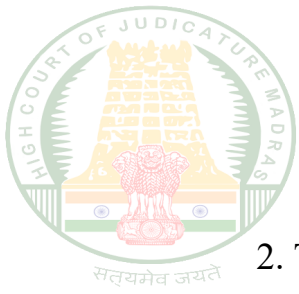
Ms.A.Arunkumar

For Respondent:

Ms.R.S.Indira,
Govt.Advocate (Crl.Side)

ORDER

The petitioners apprehends arrest for the alleged offence under Sections 189(2), 115(2), 351(2) and 303(2) of BNS in Crime No.264 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the landlord entered into the de facto complainant's residence and snatched 1½ sovereigns of gold jewel. The petitioners are the sons of the landlord. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the defacto complainant and they have been falsely implicated in this case. He further submitted that he is ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the property has not been recovered yet. Hence, she opposed to grant anticipatory bail to the petitioners.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. Considering the facts and circumstances of the case, taking note of the submissions made by the learned counsel on both sides, it is seen that the



contention that the petitioners and de facto complainant are landlord and tenant is not seriously disputed. Hence, considering the peculiar circumstances of the case, this Court is of the firm view at this length of time custodial interrogation of the petitioners is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate-II, Ponneri**, on condition that **the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioners fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The petitioners shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and**



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thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

09-06-2026

SHL

To:

1. The Judicial Magistrate-II,
Ponneri.

2. The Inspector of Police
E-5, Police Station,
Sozhavaramm.

3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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