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CRL OP No. 15321 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15321 of 2026

S.Ganapathy

..Petitioner

Vs

State Rep. by
Inspector of Police,
C-1, Uthukottai Police Station,
Tiruvallur.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No.99 of 2026 on the file of the Respondent.

For Petitioner:

Mr.S.Sakthivel

For Respondent:

Mr.S.Yogaraja Sekar
Counsel for Government of Tamilnadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.05.2026 for the alleged offences under Section 3 of Tamil Nadu Public Property (Prevention of Destruction and Loss) Act, 1982 and under Section 115(2), 132, 296(b), 351(3) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.99 of 2026 on the file of the respondent police, seeks bail.

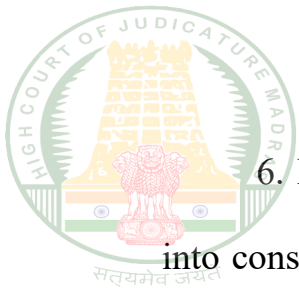


2. The case of the prosecution is that the petitioner along with the other accused went on a trip in a Swift car and while returning, the respondent police attempted to intercept the vehicle at a check post near Uthukottai. It is alleged that the petitioner and the other accused failed to stop the vehicle and attempted to escape, resulting in a chase during which the respondent police vehicle was damaged. Hence, the case was registered.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that no serious overt act has been attributed against the petitioner and he has been in judicial custody since 24.05.2026. The learned counsel would further submit that the co-accused have already been enlarged on bail by the learned Principal District and Sessions Judge, Tiruvallur in Crl.M.P.No.2239 of 2026 dated 22.06.2026 and the petitioner is also entitled to bail on the ground of parity. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and opposed to grant bail to the petitioner.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.



6. From the submission of the learned counsel on either side and taking into consideration the long incarceration of the petitioner since 24.05.2026 and the fact that the co-accused have already been enlarged on bail by the learned Principal District and Sessions Judge, Tiruvallur in Crl.M.P.No.2239 of 2026 dated 22.06.2026, this Court is inclined to enlarge the petitioner on bail, 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.25,000/- (Rupees Twenty-Five Thousand only), with two sureties for a like sum each to the satisfaction of the learned **District Munsif-cum-Judicial Magistrate Court, Uthukottai**, and subject to the following conditions:

[a] 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 the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of 30 days and thereafter as and when required for interrogation;

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

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;



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[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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NSL

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 District Munsif Cum Judicial Magistrate, Uthukottai.
2. Central Prison, Puzhal.
3. The Inspector of Police, C-1, Uthukottai Police Station, Tiruvallur.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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