



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-06-2026

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THE HON'BLE MR. JUSTICE C.KUMARAPPAN

CRL OP No. 15520 of 2026

Siraj Basha

..Petitioner(s)

Vs

The State Rep by
The Inspector of Police
Vellore North Crime Police Station,
Vellore District.
Crime No.28 of 2026

..Respondent(s)

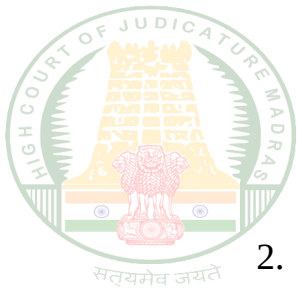
Prayer: Criminal Original Petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the Petitioner on bail in Crime No.28 of 2026 on the file of the Respondent Police.

For Petitioner(s): Mr.M.Sathish Kumar

For Respondent(s): Mr.S.Yogaraja Sekar
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.05.2026 for the alleged offence punishable under Sections 309(4) and 311 of the Bharatiya Nyaya Sanhita, 2023, in Crime No.28 of 2026 on the file of the respondent police, seeks bail.

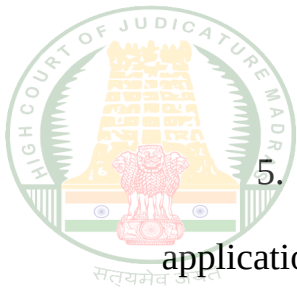


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2. The case of the prosecution is that the petitioner along with other accused persons took the de-facto complainant near a secluded place, and robbed a sum of Rs.41,500/-, two mobile phones, and a two-wheeler. Pursuant to the investigation, the petitioner was arrested and remanded in judicial custody. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an auto driver, who drives an auto-rickshaw on a rental basis for his livelihood, and that he is innocent. He further submits that the alleged complaint is false, as the de-facto complainant had merely lost his phone and immediately suspected the petitioner. He also submits that the petitioner has been in continuous incarceration since 11.05.2026, that he will abide by any condition imposed by this Court, and therefore prays for the grant of bail to the petitioner.

4. The learned Government Counsel (Criminal Side) appearing for the respondent police opposes the grant of bail to the petitioner and reiterates the case of the prosecution. However, he submits that there is no previous case recorded against the petitioner, and further confirms that the robbed amount has already been recovered.



5. Though the learned Government Counsel objects to the bail application, this Court takes into consideration the fact that the petitioner has no adverse antecedents and that the robbed amount has been recovered. Taking note of the totality of the facts and circumstances of the case, and also the period of incarceration undergone by the petitioner since 11.05.2026, this Court is inclined to enlarge the petitioner on bail, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.IV, Vellore and subject to the following conditions:

[a] 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 Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before respondent Police daily at 10:30 a.m., for a period of 15 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;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate



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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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Index: Yes/No

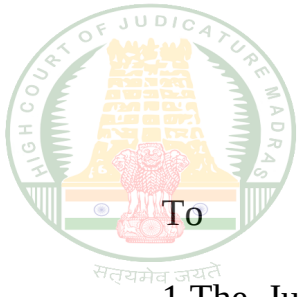
Speaking/Non-speaking order

Neutral Citation: Yes/No

dpa

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 Judicial Magistrate No.IV, Vellore.

2.The Superintendent, Central Prison, Vellore.

3.The Inspector of Police, Vellore North Crime Police Station, Vellore.

4.The Public Prosecutor, High Court of Madras, Chennai.

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C.KUMARAPPAN, J.

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