



WEB COPY

CRL OP No. 24703 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

CORAM

THE HON'BLE DR JUSTICE G. JAYACHANDRAN

CRL OP No. 24703 of 2025

and

Crl.M.P.No.16862 of 2025

1. Vanaraj
2. M.Ganesan
3. Manikandan

..Petitioners

Vs

The State rep by the
The Deputy Superintendent of Police,
CB-CID,
Tiruvallur District
Cr.No.1/2025

..Respondent

Prayer: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to call for the records and set aside the order dated 04.09.2025 in Crl.M.P.No.3352 of 2025 passed by the learned Principal District and Sessions Judge, Tiruvallur.

For Petitioners: Mr.K.Srinivasan
Senior Counsel for
Mr.R.Vivekananthan

For Respondent: Mr.K.M.D.Muhilan
Additional Public Prosecutor

ODER

The petitioners herein are accused Nos,1 to 3 in Crime No.1 of 2025 registered for the alleged offences under Sections 189(2), 329(4), and 140(3) of BNS, 2023.



2. Since the final report not filed within 60 days, mandatory bail was granted to the petitioners on 08.08.2025 under the impression that the maximum punishment for the offences was only 7 years. However, without noticing that the sections had been altered to Sections 189(2), 332(b), 140(1) and 61(2) of BNS, 2023, the State, pointing out the said omission, filed an application for cancellation of bail, which was allowed on 04.09.2025.

3. Challenging the said order, the present Criminal Original Petition has been filed, stating that the alteration of offences was not brought to the notice of the accused and it is unknown as to when the sections were altered.

4. This Court, on hearing the learned Senior Counsel for the petitioner, the learned Additional Public Prosecutor for the State and on perusing the records, is of the view that it is needless to probe when the section was altered. Since even as on date, the final report has not been filed and therefore, in any event, the petitioners have to be extended the benefit of default bail.

5. As a result, this Criminal Original Petition stands allowed. The bail granted by the Court below on 08.08.2025 stands confirmed. Consequently, the connected Criminal Miscellaneous Petition is closed.

27-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
rpl



To

1. The Principal District and Sessions Judge,
Tiruvallur.

2. The Deputy Superintendent of Police,
CB-CID,
Tiruvallur District.

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



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DR.G.JAYACHANDRAN J.

rpl

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