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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31164 of 2026

Prathap P
S/o.Pushparaj,
No.2/65, Periyapalayathamman Koil
2nd Street, Mettu Colony,
Manapakkam,
Chennai-600 125. ...Petitioner/Accused

Vs

The State Rep by
The Inspector of Police,
SRMC Police Station, ...Respondent/Complainant
(Crime No.278 of 2026)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with the Crime No.278 of 2026 on the file of the Respondent Police.

For Petitioner(s): Mr.B.Rajesh Kumar
For Respondent(s): Mr.M.M.I.Khaleel,
Govt.Advocate (Crl.Side)

O R D E R

The Petitioner, who was arrested and remanded to judicial custody on 23.09.2026 for the alleged offence under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.278 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the proseuction is that the present case relates to the theft of a two-wheeler. The de-facto complainant's Royal Enfield motorcycle, valued at Rs.50,000/-, was allegedly stolen from near his rented residence at Porur, Chennai, and a case was registered against unknown accused.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and has been falsely implicated in this case. He further submitted that the petitioner has been in judicial custody since 23.09.2026. He also further submitted that the specific allegation against the petitioner is that he received the stolen property, and that the petitioner had purchased the vehicle from A1 without knowing that it was stolen and the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the investigation is still pending. Hence, he opposed the grant of bail to the petitioner.

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

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6. Considering the nature of the allegagions, the specific role attributed to the petitioner, and the submission that he purchased the vehicle without knowing that it was stolen, 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 each**, for a like sum to the satisfaction of the **learned JM-1, Poonamallee, Tiruvallur District,** and on further conditions that:

[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., until further orders;

[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 pass appropriate orders against the petitioner in acc with law as if the aforementioned conditions have been imposed and the

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petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283];**

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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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 JM-1, Poonamallee,
Tiruvallur District.

2.The Inspector of Police,
SRMC Police Station,

3.The Superintendent,
Central Prison, Puzhal, Chennai.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

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