Order QR

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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. 31137 of 2026

CNR: {HCMA012564152026}

1. Sathya
   S/o Mariyappan,
   No. 5/527, Jakir Hussain Street,
   Annai Indhira Ninaivu Nagar, Attanthangal,
   Redhills,
   Tiruvallur District.

2. Ajay Kumar
   S/o Vinothraj,
   NO. 5/11A, Kannadasan Street,
   DPR Nagar, Gandhi Nagar,
   Tiruvallur District.

3. Kishore
   S/o. arumugam,
   NO. 5/527, Jakir Hussain Street,
   Annai Indhira Ninaivu Nagar, Attanthangal,
   Redhills,
   Tiruvallur District.

..Petitioner(s)

Vs

State Rep by The Inspector of Police
M-4, Redhills Police Station,
Tiruvallur District.
Crime No.544 of 2026.

..Respondent(s)

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To enlarge the petitioners on bail in the event of their arrest by the respondent police in Crime No.544 of 2026 and thus render Justice.

For Petitioner(s): Mr. A Logesh

For Respondent(s): Mr. R. Rajasekaran, Government Advocate

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 191(2), 191(3), 296(b), 329(4), 115(1), 324(5), 351(3) of BNS, 2023 and Under Section 4 of TNPHW Act, in Crime No.544 of 2026 on the file of the respondent police seek anticipatory bail.

2.The learned Counsel for the petitioners submitted that though the petitioners were released on bail on 22.09.2026, due to their illness, they could not appear before the respondent police. There was a delay of 7 days. Immediately, the respondent/State filed an application for cancellation of bail and the same was allowed. He further submitted that they are ready to abide by any stringent condition that may be imposed by this Court and they are ready to co-operate for investigation. Hence, he prays to grant anticipatory bail to the petitioners.

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3.The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the petitioners were granted bail by the trial Court, and they have not complied with the conditions imposed in Crl.M.P.No.1303 of 2026, dated 22.09.2026 by the learned Judicial Magistrate No.II, Ponneri. Thereafter, the respondent/State filed an application for cancellation of bail and the same was allowed by order dated 09.10.2026. Therefore, he opposed to grant anticipatory bail to the petitioners.

4.On perusal of the records, it is seen that the petitioners were granted bail in Crl.M.P.No.1303 of 2026, dated 22.09.2026 by the learned Judicial Magistrate No.II, Ponneri, with certain conditions imposed against them. Thereafter, due to their illness, they have not complied with the conditions. Then, the respondent police/State filed an application before the learned Judicial Magistrate No.II, Ponneri, seeking for the cancellation of bail already granted to the petitioners on 22.09.2026, and the same was allowed by order dated 09.10.2026 on the ground that the petitioners could not appear before the respondent police. Now, the petitioners have come forward with the present criminal original petition seeking anticipatory bail. However, the bail could have been granted to the petitioners only after the disposal of the several pending proceedings. No reasons can be assigned after granting the bail.

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5.Considering the reasons stated in the affidavit and the facts and circumstances of the case, this Court is inclined to enlarge them on anticipatory bail, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **Judicial Magistrate No.II, Ponneri,** on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- each (Rupees Twenty Five 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 fail 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 learned Judicial Magistrate No.II, Ponneri, daily twice at 10.30 a.m. and 5.30 p.m. for a period of four weeks until further orders.

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(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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

28-10-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MSM

To

1. The Judicial Magistrate No.II, Ponneri,

2.State Rep by The Inspector of Police
M-4, Redhills Police Station,
Tiruvallur District.
Crime No.544 of 2026.

3.The Public Prosecutor, High Court, Madras.

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N.RAMESH, J.

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