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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 33701 of 2026

CNR: {HCMA012731332026}

Vengadesh @ Suruttai Vengadesh
S/o Gopi,
No.68/55, 5th Street,
Annai Sivagami Nagar,
Ennore, Kattivakkam,
Tiruvallur.

Case QR

..Petitioner(s)

Vs

The State Rep by
The Inspector of Police
M5 Ennore Police Station,
Tiruvallur District.
Crime No.40 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in Crime no.40 of 2026 on the file of the Respondent Police, pending investigation and trial on such terms and conditions as this Honourable Court.

For Petitioner(s): Mr.A.Saranraj for Mr.M.Muthuramalingam

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.10.2026 for the alleged offence under Sections 191(2), 191(3), 281, 296(b) and 351(3) of BNS, 2023 and Section 3 of the Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992, in Crime No. 40 of 2026 on the file of the

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respondent police, seeks bail.

2. The allegation against the petitioner is that, while the defacto complainant was at his petrol bunk, the petitioner along with other accused came there in a car, picked up a quarrel with the defacto complainant and dashed into one of the petrol pumping machine, thereby causing damage to the worth of Rs.15,00,000/- and escaped from the spot. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is in judicial custody since 22.10.2026 and that the petitioner is innocent and has been falsely implicated in this case. He further submitted that 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. However, 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. It is a case of quarrel at a petrol bunk. The petitioner is arrayed as A4. According to the prosecution, on 02.02.2026, the accused came by a car to the petrol bunk at Ennore and quarreled with the complainant. They rammed the car into the pumping machine, causing damage to the tune of Rs.15 lakhs and escaped. The co-accused were already granted anticipatory bail in February 2026. The petitioner was also granted anticipatory bail, but since he did not comply with the condition, he was arrested on 14.10.2026 and he has been in judicial custody since then. On 18.11.2026, when the matter came up for hearing, it was seen from the records, that the final report had not yet been filed in respect of the occurrence dated 02.02.2026, as it was stated that the investigation was pending. Therefore, the status report was sought from the Inspector of Police, in this regard.

Today, in Para 7 of the status report filed,it has been stated that the investigating officer sought details from the defacto complainant to provide the details of the petrol pump gun which was damaged on the date of occurrence and the value of the other property damaged on the said date, that the defacto complainant till date not provide the details and hence the investigation could not be completed and the final report could not be filed. Considering the above facts and circumstances of the case, the period of incarceration already undergone by the petitioner, and the fact that the petitioner was already granted anticipatory bail but could not comply with the condition and was subsequently arrested, this Court is inclined to enlarge the petitioner on bail.

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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 Judicial Magistrate, Tiruvottiyur,** 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 concerned Judicial Magistrate daily at 10.30 a.m., for a period of 15 days and thereafter before the investigation officer as and when required;

[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 accordance with law as if the aforementioned conditions have been imposed and the 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];**

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

25-11-2026

DRL

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, Tiruvottiyur

2. The Inspector of Police
M5 Ennore Police Station,
Tiruvallur District.

3.The Superintendent,
Central Prison, Puzhal.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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