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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 34256 of 2026

CNR: {HCMA012803172026}

Iyappan
C/o Leela,
No.32, Rajiv Gandhi Salai,
Venkateswara Junction,
Oragudam,
Ambattur,
Tiruvallur District.

Case QR

..Petitioner(s)

Vs

State Represented By, The Inspector of Police
R-2, Kodambakkam Police Station,
Chennai District.
Cr.No. 176 of 2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No. 176 of 2026 pending on the file of the respondent police and thus render justice.

For Petitioner(s): Mr.P.Muthamizhselvakumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.10.2026 for the alleged offences under Sections 126(2), 296(b), 115(2), 309(4), 311, 125, 351(3) of BNS 2023, in Crime No.176 of 2026 on the file of

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the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner along with other accused waylaid the defacto complainant and robbed Rs.3,500/- from him at knife point. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner has been in judicial custody since 25.10.2026. He further submitted that the petitioner is innocent and has been falsely implicated in this case on account of previous cases pending against him. 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 25 previous cases are pending against the petitioner and 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. It is a case of robbery of Rs.3,500/- at knife point. The petitioner is arrayed as A2. The petitioner was arrested on 25.10.2026 and has been in judicial custody since then. A1 was already released on bail and A3 was already granted anticipatory bail by the Trial Court without assigning any reason. The petitioner is said to have 25 previous cases and he is a history sheeter. Considering the above facts and circumstances of the case, the nature of the allegations and the period of incarceration already undergone by the petitioner, this Court is inclined to grant bail to the petitioner, 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 XVII Metropolitan Magistrate, Saidapet,** 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 twice daily at 10.30 a.m., and 5.30 p.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

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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];**

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

23-11-2026

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 XVII Metropolitan Magistrate, Saidapet.
2.The Inspector of Police
R-2, Kodambakkam Police Station,
Chennai District.
3.The Superintendent, Central Prison,
Puzhal.
4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

CRL OP No. 34256 of 2026

23-11-2026

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