

Elango @ Ilango Vs State rep by The Inspector of Potice

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Court : Chennai

Decided On : Apr-09-2026

Judge : Honourable Mr.Justice C.Kumarappan

Appeal No. : CRL OP/8981/2026

Appellant : Elango @ Ilango

Respondent : State rep by The Inspector of Potice

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN Elango @ Ilango S/o. Kumar, No.143, Bajanai Koil Street, Kelamanabedu, Vellavedu, Poothamalle, Thiruvallur Dist ..Petitioner(s) Vs State rep by The Inspector of Potice Madhavaram Police Station Thiruvallur. (Crime No. 134 of 2026) ..Respondent(s) PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the Petitioners on bail in the event of his arrest concerned in Crime No.134 of 2026 on the file of the respondent police on such terms and conditions and as this

Honorable court may deem fit and proper and thus render justice. For
Petitioner(s): Mr. R. Parthiban For Respondent(s): Mr.P.Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 305 of BNS, in Crime No.134 of 2026, on the file of the respondent Police, seeks anticipatory bail. Page1 of 5

2. The case of the prosecution is that the petitioner along with other accused, trespassed into the residence of the defacto complainant and committed theft of mobile phones. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an auto driver and that the occurrence took place on 13.02.2026. He further submitted that the petitioner was not present at the scene of occurrence. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the petitioner was present at the scene of occurrence and was implicated based on the confession of the co-accused. He further submitted that the stolen mobile phones, numbering 9, have been recovered. Hence, he opposed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to either side submissions.

6. Taking into consideration the totality of the circumstances, and upon

the fact that the stolen mobile phones have been recovered and that the Page2 of 5 petitioner has been implicated based on the confession of the co-accused, this Court is of the view that at this length of time, the custodial interrogation of the petitioner is not required. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

7. Accordingly, the petitioner is 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 learned District Munsif cum Judicial Magistrate Court, Madhavaram, on condition that the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty 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 petitioner fails 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 petitioner shall report before the respondent police daily at 10.30 am for a period of 30 days and thereafter as and when required;

(d) On breach of any of the aforesaid conditions, the Page3 of 5

learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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. 09-04-2026 DRL To 1.The District Munsif cum Judicial Magistrate, Madhavaram. 2.The Inspector of Potice Madhavaram Police Station Thiruvallur. (Crime No. 134 of 2026) 3.The Public Prosecutor, High Court, Madras. Page4 of 5

C.KUMARAPPAN, J.

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