

IN THE COURT OF THE FIRST ADDITIONAL DISTRICT & SESSIONS JUDGE,
TIRUNELVELI

PRESENT: Thiru. D. SELVAM, M.L.
1st Additional District & Sessions Judge,
Tirunelveli.

Monday, the 6th day of April 2026

M.P. No.15/2026 in
SC No. 356/2019

Sudalaimani, S/o. Perumal

.. Petitioner/Accused No. 2

//Versus//

The State of Tamil Nadu
Represented by the Sub-Inspector of Police,
Pettai Police Station,
Crime No. 548/2017.

.. Respondent/Complainant

This petition came before me on 02.04.2026 in the presence of Thiru. S.Karumban, Advocate for the petitioner and Thiru.M.Karunanithi, Additional Public Prosecutor for the State and upon hearing the arguments on the both sides and on perusing the records and having stood over till this date for consideration, this court delivers the following ...

ORDER

1. This bail petition is filed under section 483 of the BNSS to enlarge the bail.

2. The respondent registered the case under Section 341, 294(b), 302, 506(ii) of the IPC. The petitioner is remanded to the judicial custody by the execution of the NBW on 25.02.2026 and he is incarceration about more than one month. So, the petitioner seeking order to bail.

3. The prosecution opposed the bail that the petitioner was not appeared before this court regularly and NBW was issued against this petitioner, arrested and remanded. The case is pending for the examination under section 313(1)(b) of the Cr.P.C. At this stage, if the petitioner is released on bail, he will not co-operate to dispose the case and he may abscond. Hence, the petition may be dismissed.

4. Whether the petitioner is entitled the relief of bail?

5. Heard both sides. On perusal of the records, the case is pending at the stage of examination of the accused under section 313(1)(b) of the Cr.P.C. It reveals that the petitioner did not appear before this court and NBW was issued on 30.01.2026 against this petitioner and arrested and remanded on 26.02.2026.

6. After executing the NBW against the petitioner, the co-accused of his father was not appeared before this court and filed petition under section 355 BNSS. After given sufficient time, the A-1 also not appeared and the petition under section 355 BNSS was dismissed and issued NBW against the 1st accused on 10.03.2026. Since, the case is pending for more than 5 years and the case is posted for the examination of accused under section 313(1)(b) of the Cr.P.C. from 09.12.2025 till date.

7. Now, the execution of NBW against the A1 is pending. The A1 is father, A2 is son of this case. Both of them has not been properly appeared before this court and not co-operated for examining under section 313(1)(b) of the Cr.P.C more than 3 months. At this stage, if the petitioner is released on bail, there is no chance for co-

operation for the disposal of this case. Hence, this court is not inclined to grant bail to the petitioner at this stage.

8. In the result, this petition is dismissed.

This order was directly dictated by me to the Steno-typist Grade-I and typed by her in a computer and corrected and pronounced by me in the open Court on this 6th day of April 2026.

1st Additional District & Sessions Judge,
Tirunelveli.

Copy to:

1. The Counsel for the petitioner.
2. The Addl. Public Prosecutor
3. The Inspector of Police, Pettai P.S.