

IN THE COURT OF PRINCIPAL SESSIONS JUDGE DINDIGUL



PRESENT: Tmt. A. MUTHUSARATHA, B.L., P.G.D.P.M
Principal Sessions Judge, Dindigul.

Thursday, the 12th day of March 2026.

CrI.M.P. No.620/2026
CNR No.TNDG01-001585-2026

Athipathi Raja, 26/2026
S/o.Ayyanar

.. Petitioner/A1

/vs/

State through
The Sub-Inspector of Police, Dindigul Taluk : Respondent/Complainant
PS.
Cr. No.615/2025

This petition came before this Court for final hearing today in the presence of Thiru.M.Afrose Nisha, learned Counsel for the petitioner and of Thiru.R.Udhayanithi learned Public Prosecutor(I/c) for the respondent and heard either side and perusing all the records, this Court delivered the following.....

ORDER

Petition filed u/s. 483 of BNSS 2023. Petitioner/A1 prays to enlarge him on bail for the alleged offences punishable U/S. 331(4), 331(3) and 305(a) of BNS 2023 in Cr.No. 615/2025 of the respondent police. The alleged occurrence took place on 4.11.2025 and the petitioner was remanded on 24.12.2025.

Heard both sides.

The learned counsel for the petitioner submitted that the petitioner is an innocent and he has not committed any offence as alleged, that the defacto complainant foisted this false complaint against this petitioner only for statistical purpose, that the petitioner is a sole bread winner of his family, that the petitioner hereby undertakes that he will not abscond and will not tamper any witnesses, that the petitioner was remanded on 24.12.2025 and is in custody for 78 days and he prays for bail.

The learned Public Prosecutor has submitted that the defacto complainant lodged a complaint before the respondent P.S., that on 4.11.2025 the defacto complainant was locked his house and went to Coimbatore for medical treatment, that on 9.11.2025 at about 3.00 the owner of the defacto complainant called her and said that the main door of her house was opened, so that the defacto complainant informed her elder daughter of the

incident, when she went to the house, she shocked that the house and bureau were broken open and 28 grams of golden jewels were looted, immediately, she gave a police complaint, that after investigation, the respondent police found that the accused had committed the offences punishable U/S. 331(4), 331(3) and 305(a) of BNS 2023 and he was remanded for this case.

Heard both sides. Records perused. The case was registered against the accused, U/S. 331(4), 331(3) and 305(a) of BNS 2023. The learned counsel for the petitioner represented that the petitioner is an innocent and he has not committed any offence as alleged, that the defacto complainant foisted this false complaint against this petitioner only for statistical purpose, that the petitioner is a sole bread winner of his family and that the petitioner is in custody for 78 days and he prays for bail. The learned Public Prosecutor has raised objection that this petitioner is arrayed as A1, that the accused were looted 3 ½ sovereigns of golden jewels from the defacto complainant's house and the case property is not yet recovered, that the petitioner has 2 previous cases and that the co-accused A2 and A3 were secured and the investigation is pending.

On perusal of records, it shows that occurrence have taken place on 4.11.2025. As per prosecution, the accused were secured, but, the case property is not yet recovered. The petitioner is in custody for 78 days. The prosecution has not insisted that the custodial interrogation of the petitioner/A1 is necessary. Considering the above aspects, the period of incarceration and the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/A1 on condition.

In the result, the petitioner/A1 is ordered to be enlarged on bail on his executing a bond for Rs.25,000/- along with two sureties each for a like sum each to the satisfaction of learned Judicial Magistrate No.I, Dindigul subject to conditions.

- 1 After release the petitioner shall appear and sign before the S.H.O., respondent police station daily at 10.00 a.m. for a period of 30 days and shall also appear make himself available for interrogation by the police officer as and when required.
- 2 The petitioner shall co-operate with the investigation or trial and he shall not threaten the witnesses. He shall not induce witnesses and he shall not cause obstacles to the pending investigation or trial.

3 If there is any violation of condition, the Investigation Officer is within his discretion to approach the Court of the learned Judicial Magistrate, concerned for cancellation of bail even though bail granted by the Sessions Court as per the ruling of the Hon'ble Supreme Court reported in P.K.Shaji/Vs/State of Kerala, (2005) AIR S.C.W.5560.

Pronounced by me in open Court this the 12th day of March 2026.

**Principal Sessions Judge,
Dindigul.**

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The Judicial Magistrate No. I, Dindigul.

The Public Prosecutor, Dindigul.

The Sub-Inspector of Police, Dindigul Taluk PS.

Thiru. M.Afrose Nisha, Counsel for the petitioner.

} They are requested to download this order from the above said official web site link.