

**IN THE COURT OF JUDICIAL MAGISTRATE COURT NO. II,
DHARMAPURI**

Present : Tmt. SUSHMITHA R B.A., LL.B (Hons.)

The Judicial Magistrate II, Dharmapuri

On the Monday, the 08th day of June 2026.

Crl.M.P No. 771 of 2026

In

Cr. No. No.06 of 2026

(On the file of District Crime Branch Police Station, Dharmapuri)

Hasina, Age 39/2026

W/o. Mubarak

Petitioner/Accused

//vs//

State rep. by its Inspector of police

District Crime Branch, Dharmapuri P.S

Cr.No. 06/2026

U/ss. 34, 406, 409, 420 IPC, 4(1), 76(1) Chit Funds Act 1982

Respondent/ complainant

Order

This petition has been filed on behalf of the Petitioner/Accused under Section 480 of the Bharatiya Nyaya Sanhita, 2023 (BNSS), seeking bail.

The application came up for final hearing before this Court on **08.06.2026**. This Court has taken up the matter for consideration in pursuance of the bail petition filed by **Mr. N.Mohamed Fazil**, Learned Counsel for the Petitioner and the submissions made by the **Learned Assistant Public Prosecutor** representing the State.

Upon perusal of the petition, the relevant materials on record, and after hearing the arguments advanced by both sides, this Court proceeds to pass the following:

Heard both sides. The case records have been perused.

The petitioner is the accused in **Cr.No.06/2026** of **District Crime Branch, Dharmapuri Police Station**, registered for the alleged offence under U/ss. 34, 406, 409, 420 IPC, 4(1), 76(1) Chit Funds Act 1982

The learned counsel for the petitioner has filed this petition seeking bail. The learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present case. It is submitted that the petitioner was remanded to judicial custody on **29.05.2026**. The learned counsel further assures that the petitioner is willing to furnish sureties as directed by this Court and undertakes that the petitioner will not abscond or go beyond the jurisdiction of this Court.

In light of the above submissions, the learned counsel for the petitioner prays for the release of the petitioner on bail.

On the other hand, the **Learned Assistant Public Prosecutor** opposed the grant of bail.

Notice was issued to the Learned Assistant Public Prosecutor and the Inspector of District Crime Branch, Dharmapuri. In response, they strongly objected the bail petition and submitted that the investigation is still pending and has not yet been completed. A3 and A6 accused are arrested and other accused persons are absconding. If the petitioner/accused is released on bail, there is a likelihood that they may threaten and tamper with the witnesses, will commit the same offences again and abscond from the jurisdiction of this Court, which ultimately effects the investigation. Further the investigation is at crucial stage, granting bail at this juncture would adversely affect the proceedings.

This Court has given careful consideration to the rival submissions made by both sides. Upon perusal of the case records and arguments advanced, it is evident that the accused has been in judicial custody for Eleven days, since his remand on **29.05.2026**. It is the case of prosecution that the accused persons had committed the offences of U/s.34, 406, 409, 420 IPC, 4(1), 76(1) Chit Funds Act 1982. upon perusal of proceedings, the following points emerge for consideration:

1. The nature and gravity of the offence are serious and non bailable.
2. The investigation is at crucial stage and other accused persons are in abscondence.
3. Possibility of tampering witnesses
4. No exceptional circumstances have been presented to justify the grant of bail at this stage

The the light if above considerations, this court is of the opinion that granting bail to the applicant at this stage would not be in the interest of justice.

In result

The bail application is **dismissed**.

Typed by me in my laptop, corrected and pronounced by me in the open court on this Monday, the 08th day of June, 2026.

**Judicial Magistrate No.II,
Dharmapuri.**