

**IN THE COURT OF THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE, ERODE**

Present : Tmt. S. Sameena, B.A., L.L.B.,
Principal Sessions Judge, Erode

Wednesday, the 3rd day of June, 2026

CrI MP No.735/2026

S.Jabar (21),
S/o.Sana Fulla Ushan,
45, Pachamalayan Kottai,
Dindigul – 624 707.

... Petitioner/A2

Vs

State by Inspector of Police,
Bangalapudur Police Station.
(Cr. No.83/2026)

... Respondent/Complainant

Petition dated: 01.06.2026 filed U/s.483 BNSS to grant bail.

This petition is coming on this day for hearing before me, in the presence of Thiru.T.Ganesan, Advocate for the petitioner and Thiru.M.Arutchelvan, the Public Prosecutor for the respondent and upon hearing both sides arguments, this Court passed the following :

ORDER

The Petitioner/A2 was arrested and remanded to judicial custody on 28.03.2026 for the alleged offences U/s.318(4) and 319(2) of BNS, registered by respondent police, seeks bail.

The learned counsel for the petitioner has submitted that this is the second bail petition, the petitioner is innocent and he was falsely implicated in the present case for statistical purpose and the petitioner has no way connected with the offence, the petitioner is ready to abide by any condition as imposed by the court and the petitioner is undergoing incarceration for the past 67 days and prayed to grant bail to the petitioner subject to any conditions.

The learned Public Prosecutor would submit that the defacto complainant is 56 years old lady and on 28.03.2026, while the defacto complainant along with her husband standing near road side, the petitioner along with 1st accused came in a motorcycle, introduced them as Police Officers, diverted the attention of the defacto complainant and committed theft of 2 sovereign gold chain. Hence, a case was registered. Further the learned Public Prosecutor submitted that the prime accused is still absconding and this petitioner was arrested based on the CCTV footage and the property was recovered and if the petitioner is released on bail, he would abscond and tamper the witnesses, the investigation has not been completed and hence he strongly opposed to grant bail to the petitioner.

Both sides heard. Perused the records. On perusal of records, it shows that this is the second bail petition and the date of occurrence took place on 28.03.2026. As per the case of prosecution, while the defacto complainant along with her husband standing near road side, the petitioner along with 1st accused came in a motorcycle, introduced them as Police Officers, diverted the attention of the defacto complainant and committed theft of 2 sovereign gold chain. Though the property was recovered, the prime accused is still absconding. The investigation has not been completed. In the above circumstances, considering the nature of offence, the main accused in this case is still absconding, the investigation is pending, the fact that there is no change of circumstances after the dismissal of the earlier application and also the strong objection raised by the prosecution, this court is not inclined to enlarge the petitioner on bail and this petition is deserves to be dismissed.

In the result, this petition is hereby dismissed.

Pronounced by me in open court, this 3rd day of June, 2026.

Principal Sessions Judge
Erode

Copy to
The Judicial Magistrate No.I, Gobichettipalayam