

IN THE COURT OF THE JUDICIAL MAGISTRATE No. II AT KRISHNAGIRI

Present: R.DEVARAJ, B.A, B.L.,
Judicial Magistrate No.II, Krishnagiri (FAC)

Monday, the 16th day of March, 2026

CrI.M.P. No. 468 of 2026
in
Crime No.23 of 2026
(On the file of Krishnagiri Taluk P.S., Krishnagiri)

Pruthvi (28)
S/o Obaish

...Petitioner/Accused

Vs.

State by:
The Inspector of Police
Taluk Police Station,
Krishnagiri.

...Respondent/Complainant

This petition is coming on this day for hearing before this Court in the presence of Tr.M.Sangeetha, the counsel for the petitioner and Learned APP Grade-II appearing for the State and having perused the records, heard both parties and having stood over the same for consideration, this Court on this day delivers the following,

ORDER

1. This petition has been filed by the petitioner u/s.480 of BNSS Act, seeking bail to him who was arrested and remanded to judicial custody on 05.03.2026 for the alleged offences u/s.331(4) and 305(a) of the BNSS, 2023

2. The case of the prosecution is that the petitioner/accused was involved in theft and hence he was arrayed as accused in the above mentioned crime number by the respondent police and the accused was remanded to judicial custody on 05.03.2026.

3. The learned counsel for the petitioner would submit that the petitioner/accused is not guilty of any offence as alleged by the prosecution and he is wrongly implicated and the said offence is non bailable in nature. It is further submitted that the petitioner is a law abiding citizen and he is ready to furnish substantial sureties to the satisfaction of this court. It is further submitted that the petitioner/accused is in judicial custody for the past 12 days. Accordingly, the learned counsel has prayed to release the petitioner on bail.

4. Per contra, the learned Assistant Public Prosecutor would submit that, he is an habitual offender, if the accused is enlarged on bail, he may be again commit the similar offence or abscond or tamper the witnesses/evidence. Hence, she prayed to dismiss the petition.

5. Heard the learned counsel appearing for the petitioner/accused and perused materials available on record. On perusal of records, the petitioner/accused was arrested by the respondent police and remanded to judicial custody on 05.03.2026 for the alleged offences u/s. 331(4), 305(a) of BNS and for the past 12 days is in judicial custody. It is further submitted that the petitioner is not a guilty of any offences alleged by the prosecution and is wrongly implicated and is ready to furnish substantial sureties and is also ready to abide any conditions imposed by this court. Accordingly he prayed to grant bail to the petitioner.

6. On the other hand, the learned Assistant Public Prosecutor vehemently opposed to grand bail to the petitioner that he is an habitual offender, if he is enlarged on bail, he may be committed similar offence or tamper the evidence/witnesses. It is further submitted that the custody petition has been filed by the police and the same was taken on file in

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CrIMP.503/2026 and the same is pending before this court. Accordingly she prayed to dismiss the petition.

7. On perusal of reply submitted by the respondent police that the above named petitioner/accused has been detained in the central prison at Vellore due to indulging in activities prejudicial to the maintenance of public order. It is also seen from reply submitted by the respondent police that there are so many similar cases pending against the petitioner/accused. It is also seen that the respondent police have already filed an application for police custody and the same was taken on file in CrIMP.503 of 2026 and the same is posted on 18.03.2026 for production of the accused to answer the police custody. This is the 2nd bail application filed by the petitioner and there is no change in circumstances in favor of the petitioner.

8. Considering the above facts and circumstances, submissions put forth on either side, the nature of offence and the previous antecedents against the petitioner/accused, this court is not inclined to grant bail to the petitioner/accused. **Accordingly the bail application is dismissed.**

Directly dictated by me to the Typist, typed by her on computer, corrected and pronounced by me in Open Court on this 16th day of March, 2026.

Sd/R.Devaraj
Judicial Magistrate No.II, (FAC)
Krishnagiri.