

TNMD010014482026



In the Court of the Principal Sessions Judge, Madurai.

Present : Thiru. S. SIVAKADATCHAM, B.Sc., M.L.,

Principal Sessions Judge, Madurai.

Saturday, this the 7th day of March, 2026.

CrI.M.P.No.893/2026

CNR No.TNMD010014482026

Sanjay Kumar @ Sanjay Gounder, S/o.Madasamy ... Petitioner/Accused.

Vs

State through the Inspector of Police,

Sellur P.S. in Cr.No.63/2026

... Respondent/Complainant.

This petition coming on today for hearing before me in the presence of Thiru.B.Saravanan, Advocate for the petitioner and of Public Prosecutor for the State, this court passed the following:

Order

1. Bail application u/s 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).

2. Heard both sides.

3. The learned counsel for the petitioner/accused would submit that this is the 2nd petition and that the respondent police has registered a case against the petitioner and others in Crime No.63/2026 for the offences u/s 309(4), 311 and 351(3) of BNS. The respondent police arrested the petitioner and remanded to judicial custody on 25.01.2026 and is in custody for the past 42 days. The petitioner is innocent and he has not committed any offences as alleged. The accused persons and the defacto-complainant are friends. As the defacto-complainant had left the newly purchased two-wheeler with the accused persons, at the instigation of his mother, the defacto-complainant lodged the present false complaint. Investigation is almost over. Co-accused were granted bail by this court. The petitioner has not filed similar petition before the Hon'ble Madurai Bench of Madras High Court or any other court. The petitioner is ready to abide by any conditions that would be imposed by this Court and prayed to allow the petition.

4. The learned Public Prosecutor submitted that totally there are 3 accused in this case and the petitioner is A2. As per the case of the prosecution, on 24.01.2026 at 11.00 p.m., A1 to A3 have threatened the defacto-complainant at knife point, pushed him down and forcibly taken away the defacto-complainant's two-wheeler (new vehicle) and criminally intimidated him with dire consequences and ran away from the place of occurrence along with the two-wheeler. Hence, the complaint. This court granted bail to A1 and A3 on 19.02.2026. The petitioner has 11 previous cases, which includes the offence u/s 302 of IPC. Investigation is pending and objected to grant bail to the petitioner.

5. Rival contentions are taken into consideration. The alleged offences against the petitioner/accused are u/s 309(4), 311 and 351(3) of BNS. The occurrence is said to have taken place on 24.01.2026. Case property was recovered. The petitioner is in custody for 42 days. Material part of investigation ought to have been completed by this time. Further custodial interrogation of petitioner is not required. This court already granted bail to A1 and A3 as per order in Cr.M.P.No.743/2026 dated 19.02.2026. However, the previous case particulars produced on the side of prosecution shows that the petitioner has 11 previous cases, which includes the offence u/s 302 of IPC. This is the 2nd petition filed by the petitioner. Considering the above facts, the duress period of petitioner and the changed circumstances and also the objections placed on the side of prosecution, this court is inclined to grant bail to the petitioner on stringent conditions.

In the result, the petitioner is ordered to be enlarged on bail on his executing a bond for Rs.10,000/- along with two sureties for a like sum each to the satisfaction of Judicial Magistrate No.II, Madurai subject to the following conditions:-

(i) After release, the petitioner shall appear and sign before the Inspector of police, respondent police station **daily twice i.e. at 10.00 a.m. and 05.00 p.m. until further orders.**

(ii) The petitioner shall co-operate with the investigation and shall not threaten the witnesses and shall not cause hindrance to the pending investigation.

(iii) That the petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected and

(iv) 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 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 the Open Court on the 7th day of March, 2026.

Principal Sessions Judge,
Madurai

Copy to

1. The J.M.No.2. Madurai.
2. The Inspector of Police, Sellur P.S.
3. The Superintendent, Central Prison, Madurai.
4. The Petitioner through his counsel.