



In the Court of the Principal Sessions Judge, Madurai.

Present : **Thiru. S. SHUNMUGAVEL B.A., B.L.,**
(II Additional District Judge (CBI Cases) , Madurai)
Principal Sessions Judge (i/c), Madurai.
(Authorised U/s.8(8) of BNSS)

Tuesday, this the 17th day of March, 2026.

CrI.M.P.No.1107/2026

CNR No.TNMD010018232026

1. Manimala, W/o.Moorthy
2. Soniya, W/o.Sabari Prabhu ... Petitioners/Accused.

Vs

State through the Inspector of Police,
Thilagar Thidal P.S. in Cr.No.354/2025 ... Respondent/Complainant.

This petition coming on today for hearing before me in the presence of Thiru.M.Nagarajan, Advocate for the petitioners 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 petitioners/accused would submit that the respondent police has registered a case in Crime No.354/2025 for the offence u/s 305 of BNS against unknown person and subsequently arrayed the petitioners as accused in this case. The respondent police arrested the petitioners and remanded to judicial custody on 25.02.2026 and are in custody for the past 21 days. The petitioners are innocent and they have not committed any offences as alleged. The petitioners' name is not found in the FIR. Case property was recovered. The petitioners have not filed similar petition before the Hon'ble Madurai Bench of Madras High Court or any other court. The petitioners are ready to abide by any conditions that would be imposed by this court and prayed to allow the petition.

4. The learned Public Prosecutor has submitted that initially the case was registered against unknown accused. As per the case of the prosecution, the defacto-complainant is the owner of Balagopalan Jewelry shop at Madurai. On

06.09.2025 at 01.00 p.m., 2 women have come to their shop for purchase of gold stud, but they have not purchased anything and left. At about 04.00 p.m., the defacto-complainant noticed that Silver bar weighing 250 gms. was found missing from the shop. The petitioners were identified through CCTV footage. Hence, the complaint. Stolen property was recovered. Both the petitioners have many previous cases of similar offence. Investigation is pending and objected to grant bail to the petitioners.

5. Rival contentions are taken into consideration. The alleged offence against the petitioners/accused is u/s 305 of BNS. The occurrence is said to have taken place on 06.09.2025. As per prosecution, A1 and A2 have stolen the Silver bar weighing 250 gms. from the defacto-complainant's Jewelry shop. It is the case of petitioners that their name is not mentioned in the FIR. Whereas, as per prosecution, they were identified through CCTV footage and the stolen property was recovered from the petitioners. Under such circumstances, the arguments advanced on the side of petitioners that they are in no way connected with the offence is untenable. Moreover, 4 previous cases are reported against A1 and that A2 is involved in 3 previous cases and all the cases are similar offences. If the petitioners are released on bail, they will indulge in similar type of criminal activities. The petitioners are in custody only for 21 days. Material part of investigation has not been completed. Though stolen property was recovered, considering the above facts, the bad antecedents being reported against the petitioners, the pending stage of investigation and the strong objections placed on the side of prosecution, this court is not inclined to grant bail to the petitioners at this stage and accordingly, the petition is liable to be dismissed.

In the result, the petition is dismissed.

Pronounced by me in the Open Court on the 17th day of March, 2026.

Principal Sessions Judge (i/c),
Madurai

Copy to : The J.M.No.2. Madurai.