



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)

Monday, this the 16th day of March, 2026.

CrI.M.P.No.1156/2026

CNR No.TNMD010018982026

Perumal, S/o.Jeyaram

... Petitioner/Accused.

Vs

State through the Inspector of Police,

Peraiyur P.S. in Cr.No.33/2026

... Respondent/Complainant.

This petition coming on today for hearing before me in the presence of Thiru.S.Ayyapparaja, 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 the respondent police has registered a case in Crime No.33/2026 for the offences u/s 305(a) of BNS @ 331(3), 305(a) and 49 of BNS against unknown person and subsequently arrayed the petitioner as accused in this case. The respondent police arrested the petitioner and remanded to judicial custody on 02.03.2026 and is in custody for the past 15 days. The petitioner is innocent and he has not committed any offences as alleged. There is delay in lodging the complaint and also in registration of FIR, for which there is no explanation on the side of prosecution. Case properties are recovered. The petitioner has no previous case. 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 has submitted that initially the case was registered against unknown accused. As per the case of the prosecution, the defacto-complainant used to keep the gold ornaments and cash in the kitchen. On 04.12.2025, she noticed that 20 sovereigns of gold ornaments, cash Rs.50,000/- and passport of her mother, were found missing. Hence, the complaint. Investigation revealed that A1, who is the neighbour of the defacto-complainant has stolen the jewels and cash from the defacto-complainant's house. A1 sold some of the jewels and purchased new ornaments and she also pledged some of the ornaments in the name of her mother with the help of A2 and A3. Hence, A1 to A3 are arrayed as accused in this case and the petitioner is A2. So far, only 7 sovereigns are recovered and the remaining properties are yet to be recovered. Investigation is pending and objected to grant bail to the petitioner.

5. Rival contentions are taken into consideration. The alleged offence against the petitioner/accused is u/s 318(4) of BNS. The occurrence is said to have taken place on 04.12.2025. As per prosecution, A1, who is the neighbour of the defacto-complainant has stolen 20 sovereigns of gold ornaments and cash Rs.50,000/- from the defacto-complainant's house and that A1 sold some of the jewels and purchased new ornaments and she also pledged some of the ornaments in the name of her mother with the help of A2 and A3. The petitioner/A2 is in custody only for 15 days. Material part of investigation has not been completed. It is represented that only 7 sovereigns of gold ornaments are recovered and that entire stolen properties are not yet recovered. Considering the above facts and strong objections placed on the side of prosecution, this court is not inclined to grant bail to the petitioner 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 16th day of March, 2026.

Principal Sessions Judge (i/c),
Madurai

Copy to : The J.M.Peraiyur.