

TNMD010019002026



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.1154/2026

CNR No.TNMD010019002026

Mohamed Fazil, S/o.Sulaiman

... Petitioner/Accused.

Vs

State through the Inspector of Police,

Othakkadai P.S. in Cr.No.57/2026

... Respondent/Complainant.

This petition coming on today for hearing before me in the presence of Thiru.S.Asaraf Ali, 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 in Crime No.57/2026 for the offences u/s 353(2) of BNS and 25(1A) of Arms Act against the petitioner. The respondent police arrested the petitioner and remanded to judicial custody on 17.02.2026 and is in custody for the past 28 days. The petitioner is innocent and he has not committed any offences as alleged. The petitioner uploaded a video on 23.02.2024, for which, the present false complaint is lodged. The respondent police has not recovered any weapon from the petitioner. The petitioner is regularly complying with the condition as per the order of the Hon'ble Madurai Bench of Madras High Court, at this time, this false complaint is lodged. Investigation is almost over. 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 it is a case of single accused, who is the petitioner herein. As per the case of the prosecution, the defacto-complainant is the Sub-Inspector of Police, Othakadai P.S. On 16.02.2026 at 12.00 noon, while the defacto-complainant was on duty, on receipt of credible information, the defacto-complainant visited the Youtube and watched one video that the petitioner armed with a long size sword was brandishing the sword in the public place, which was accompanied by dialogues in the manner of creating panic in the mind of public. Hence, the complaint. The petitioner has 17 previous cases of grave offences. 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 353(2) of BNS and 25(1A) of Arms Act.

6. The learned Public Prosecutor contended that the petitioner uploaded a video in Youtube brandishing a sword in the public place, which was accompanied by dialogues in the manner of creating panic in the mind of public and the same was watched by the defacto-complainant on 16.02.2026 and accordingly, FIR was registered. The learned counsel for the petitioner replied that the petitioner uploaded a video on 23.02.2024, for which, the present false complaint is lodged after 2 years, no weapon was recovered from the petitioner, that while the petitioner is complying with the condition as per the order of the Hon'ble Madurai Bench of Madras High Court, at this time, this false complaint is lodged and produced copy of order in CrI.OP(MD)No.22916/2025 dated 19.01.2026 for perusal. Uploading videos in social media brandishing a sword in the public place cannot be taken lightly, which creates panic in the mind of public. Moreover, the petitioner is not the first offender, he is involved in 17 previous cases, out of which, one case is 302 of IPC (Crime No.26/2023), 3 cases u/s 307 of IPC (Crime Nos.187/2022, 21/2024 & 632/2023) and that most of the cases are u/s 457 and 380

of IPC and the previous cases are pertaining to the year 2021 to 2024. Material part of investigation has not been completed. Under such circumstances, considering the above facts, the bad antecedents being reported against the petitioner, 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 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

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