

TNMD010019102026



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 24<sup>th</sup> day of March, 2026.

CrI.M.P.No.1160/2026

CNR No.TNMD010019102026

Prakash Kumar, S/o.Murugesan

... Petitioner/Accused.

Vs

State through the Inspector of Police,

Mattuthavani P.S. in Cr.No.49/2026

... Respondent/Complainant.

This petition coming on today for hearing before me in the presence of Thiru.S.Arockiya Selva Ramesh, 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 against the petitioner and others in Cr.No.49/2026 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 05.03.2026 and is in custody for the past 20 days. The petitioner is innocent and he has not committed any offences as alleged. Based on the alleged confession statement obtained from A1, the petitioner is falsely implicated as A2 in this case. In fact, the respondent police took the petitioner from his house on 03.03.2026 at 04.00 a.m. itself in the name of enquiry and falsely implicated the petitioner in this case as if he committed the offences at 09.00 p.m. The petitioner already filed a petition under RTI Act seeking CCTV footage of respondent police from 04.00 a.m. of 03.03.2026 to 09.00 p.m. of 05.03.2026. 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 totally there are 3 accused in this case and the petitioner is A2. As per the case of the prosecution, on 03.03.2026 at 09.00 p.m., when the defacto-complainant was standing near the public toilet at Mattuthavani, Madurai, A1 to A3 armed with knife and iron rod threatened the defacto-complainant and committed robbery of Rs.2,000/- from him and also criminally intimidated him and the public with dire consequences. Hence, the case. The petitioner has 4 previous cases, which are concerned with year 2026. Case properties viz. cash Rs.500/-, cellphone, knife and iron rod were recovered from A1, from whom 18 two-wheelers were also recovered. The confession statement of A1 reveals that A1 to A3 have involved in so many cases of theft. The petitioner/A2 has to be arrested in respect of some other cases through P.T.Warrant. 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 03.03.2026. It is the case of petitioner/accused that no such occurrence has taken place, the petitioner is falsely implicated in this case, case properties were recovered and prayed to consider his remand period. Per contra, the learned Public Prosecutor strongly objected stating that the petitioner is not the first offender, he is involved in 4 previous cases in Crime Nos.47, 48, 78 & 79/2026 and all the cases are u/s 303(2) of BNS and that 18 two-wheelers were recovered from A1, that A1 to A3 are jointly involved in many vehicle theft cases. The petitioner/A2 is in custody only for 20 days. Material part of investigation has not been completed. Considering the above facts, the petitioner's involvement in recent criminal activities, the pending stage of investigation 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 24<sup>th</sup> day of March, 2026.

Principal Sessions Judge (i/c),  
Madurai

**Copy to :** The J.M.No.6. Madurai.