



In the Court of the Principal Sessions Judge, Madurai.

Present : THIRU. M.SAISARAVANAN., M.L.,

Principal Sessions Judge, Madurai.

Friday, this the 17th day of July, 2026.

CrI.M.P.No.3281/2026

CNR No.TNMD010044862026

Jayakumar, S/o.Chinnalagan

... Petitioner/Accused.

Vs

State through the Inspector of Police,

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

... Respondent/Complainant.

This e-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. Anticipatory Bail application u/s 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).

2. Heard both.

3. The learned counsel for the petitioner/accused would submit that the respondent police has registered a case against one named accused in Cr.No.63/2026 for the offence u/s. 306 of Bharatiya Nyaya Sanhita (BNS), 2023. The petitioner is innocent and he has not committed any offences as alleged by the prosecution. The petitioner's name is not found in F.I.R. Based on the confession statement of co-accused, the petitioner has been falsely implicated in this case. Case properties have been recovered from A1. Already, A2 was granted anticipatory bail by the Hon'ble Madurai Bench of Madras High Court as per order in CrI.O.P.(MD) No.13312/2026 dated 06.07.2026. A1 was released on bail by the concerned Judicial Magistrate, on own bond. The overt act against the petitioner is that he accompanied with A2 while A1 has given the jewels to A2. Custodial interrogation of the petitioner is not necessary. Investigation is almost over. No similar petition is filed or pending before any superior courts. The petitioner

apprehends arrest at the hands of police. The petitioner is ready to abide by any conditions that would be imposed by this Court and prayed to allow the petition.

4. Per contra, the learned Public Prosecutor submitted that initially FIR was registered against one named accused. Upon investigation it was revealed that A1 to A3 have committed the offence. The petitioner is arrayed as A3. As per the case of the prosecution, the defacto-complainant has appointed one Chitra/A1 as housemaid in her mother-in-law's house. The mother-in-law and father-in-law of the defacto-complainant are residing separately at Alathur village. On 20.06.2026, 17 sovereign golden jewels (8 items) were found missing in the house of the defacto-complainant's mother-in-law. On suspecting the housemaid, the defacto-complainant lodged complaint against her. During investigation, it was revealed that A1 handed over the stolen jewels to A2 for selling. The petitioner/A3 is the owner of the pawn broker shop and that receiver of stolen property. Out of 17 sovereign jewels, 15-1/4 sovereign jewels recovered from A1 and remaining jewels are not yet recovered. Investigation is pending and objected to grant anticipatory bail to the petitioner.

5. Rival contentions are taken into consideration. The alleged offences against the petitioner is U/s. 306 of Bharatiya Nyaya Sanhita (BNS), 2023. As per the case of the prosecution, A1 stolen 17 sovereign gold jewels and handed over the same to A2 for selling and that the petitioner is the receiver of the stolen property. The learned Public Prosecutor submitted that 15-1/4 sovereign jewels recovered from A1. Already, A2 was granted anticipatory bail by the Hon'ble Madurai Bench of Madras High Court as per order in CrI.O.P.(MD) No.13312/2026 dated 06.07.2026. A1 was released on bail by the concerned Judicial Magistrate, on own bond. No bad antecedent brought to notice of this court as against the petitioner. Material part of investigation ought to have been completed by this time. Considering all these aspects, the overt act against the petitioner, the recovery of major part of stolen jewels and the facts and circumstances of this case, I am inclined to grant anticipatory bail to the petitioner on conditions.

In the result, in the event of arrest or on his surrendering before the Court concerned the petitioner is ordered to be released on anticipatory bail on his executing a bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of Judicial Magistrate No.V, Madurai subject to the following conditions:-

(i) The petitioner shall surrender before the concerned Court within 15 days from today; failing which, the petition shall stand automatically canceled.

(ii) The petitioner shall appear and sign before the Inspector of police, respondent police station **daily at 10.00 a.m. for a period of 30 days.**

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

(iv) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence.

(v) 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 **Shaji/Vs./ State of Kerala, (2005) AIR S.C.W. 5560.**

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

Principal Sessions Judge,
Madurai

Copy to

1. The J.M.No.5. Madurai.
2. The Inspector of Police, Oomatchikulam P.S.
3. The Petitioner through his counsel.