

In the Court of Sessions Judge, Mahalir Neethimandram, Madurai.  
Present: Thiru. G.Nagarajan, B.A., B.L.,  
Sessions Judge,  
Mahalir Neethimandram, Madurai.

Wednesday, this the 21<sup>st</sup> day of January, 2026

CrI.M.P.No.48/2026  
in  
Sessions Case No.958/2025

Sivasubramanian, S/o.Muniyandi

... Petitioner / Accused.

/vs/

State through the Inspector of Police,  
Appanthirupathi P.S., in Cr.No.142/2025

... Respondent / Complainant.

This petition was filed and come up on today for final hearing before me, in the presence of Thiru.S.Rajasekaran, Advocate for the petitioner and of Special Public Prosecutor for the Respondent / Complainant and upon hearing the arguments of both sides and after perusing the records, and having stood over till this day for consideration, this Court passed the following:

**ORDER**

1. Bail petition under Section 482 of BNSS.
2. The accused was remanded into Judicial custody on 06.10.2025 for the offences u/s. 329(4), 296(b), 127(2), 309(6), 109, 64 and 351(3) of BNS Act.
3. The prosecution case is that, on 04.10.2025 at 07.45 p.m., the accused trespassed into the house of the defacto-complainant. When the accused tried to rob the defacto-complainant, she restrained him. Hence, he provoked and scolded her in filthy language, attacked her by iron box caused blood injuries, robbed her covering chain and ½ Sovereign stud, burned by iron box on her cheek, hand and rapped and criminally intimidated her. Hence, the case.
4. The counsel for the petitioner submitted that the petitioner was remanded on 06.10.2025 and he is in judicial custody for more than 100 days. The petitioner is innocent and he has not committed any offences as alleged by the prosecution. If the petitioner is released on bail, he will appear before this without fail and co-operate to trial.

The petitioner is ready to abide by any conditions that would be imposed by this court and prayed to allow the petition with any stringent condition.

5. On the other hand the learned Special Public Prosecutor strongly objected that the petitioner brutally attacked, robbed and rapped the defacto-complainant who is aged person. This petitioner has 2 previous cases. This case is in the stage of trial. If the petitioner is released on bail, there is a chance to be absconded and not appear before this court for hearings and chances to tamper the witnesses. Hence, prayed to dismiss the petition.

6. This Court considered the argument of both sides and perused available materials. The allegation is that the accused is said to have, trespassed into the house of the defacto-complainant who is aged person, robbed, rapped and tried to murder her. The petitioner is in judicial custody for 108 days. The defacto-complainant who is victim in this case was examined as PW.1 and Ex.P.1 to Ex.P.7 marked and the case was adjourned to marking for Material Objects. More over, bad antecedents reported against the petitioner. In this stage, if the petitioner released on bail, it may affect the further process of this case. In this circumstances, if the petitioner is released on bail there is a chances to be tamper the witnesses and may not be appear before this court for hearings and it may affected the further process of this case. Considering all these aspects, the strong objection raised on the side of the prosecution, nature of offence, stage of this case, bad antecedents reported against the petitioner and the facts and circumstances, this court is declined to grant bail to the petitioner at this stage, accordingly, this petition is liable to be dismissed.

In the result, this petition is dismissed.

Dictated to Stenographer, directly typed by her in the computer, corrected and pronounced by me in open Court on this the 21<sup>st</sup> day of January, 2026.

Sessions Judge,  
Mahalir Neethimandam,  
Madurai.