

**IN THE COURT OF DISTRICT AND SESSIONS JUDGE,
MAYILADUTHURAI.**

Present: Dr. L.S. Sathiyamurthy, M.A., M.L., Ph.D.,

District and Sessions Judge, Mayiladuthurai.

State of Tamil Nadu.

Monday, this the 16th day of March 2026.

CrI.M.P.No.210/2026

The Inspector of Police,
Manalmedu P.S
Cr.No.338/2025

. . . Petitioner

Vs

Vinoth @ Vellapallam Vinoth
S/o. Manivel

. . . Respondent

This petition came up today for the hearing in the presence of Tmt. A. Aruna on behalf of Public Prosecutor for the State and Thiru. K. Santhoshkumar Advocate for the respondent and after careful consideration of the materials available on record and the submissions made on behalf of the parties, this court passed the following:

ORDER

This is a petition filed U/s. 480(5) of BNSS for cancellation of bail granted to the respondent by an order dated 03.12.2025 in CrI.M.P No. 1601/2025 and later the condition are modified in the order dated 07.01.2026 in CrI.M.P No. 31/2026.

2. The Inspector of police, Manalmedu P.S is the petitioner. In the affidavit filed in support of the petition, he has given a detailed accounts of previous cases pending against the accused person. In addition to these facts and ground upon which the bail granted to the petitioner prayed to cancel is that the Respondent has not duly complied with the order dated 07.01.2026 in CrI.M.P No. 31/2026, i.e., the respondent was directed to appear before the Kumbakonam West P.S and sign at 10.00 AM daily for 30 days. But he failed to do so.

3. According to the petitioner, the respondent has not signed on 12.01.2026, 13.01.2026, 22.01.2026, 29.01.2026, 30.01.2026, 31.01.2026, 01.02.2026 and 03.02.2026. As the respondent has not followed the directions and complied with them, the petitioner has come forward with this petition for cancellation of bail.

4. The respondent has filed the counter and denied the allegations of non compliance of direction made against him in the affidavit.

5. According to the respondent, he had complied with the directions for 23 days and on 02.02.2026 while he was returning to home after complying of the directions from Kumbakonam West P.S. he was arrested for the case registered in Cr. No. 53/2026 on the file of the Sirkali P.S for the offence punishable U/s. 296(b), 308(5), 351(3) of BNS and Sec. 25(1A) of Arms Act, 1959.

6. The point for consideration is whether the bail can be canceled, as prayed for by the petitioner?

7. Heard, the learned Public Prosecutor appeared for the petitioner and the learned counsel for the respondent. Perused the records.

8. The respondent herein was granted with the order of bail in a case registered against him in Cr. No. 338/2025 on the file of the Manalmedu P.S as per the order dated 03.12.2025 in CrI.M.P No. 1601/2025. Subsequently, the conditions are modified by on order dated 07.01.2026 in CrI.M.P No. 31/2026. As per the said order the respondent was directed to appear and sign before the Kumbakonam West P.S daily at 10.00 AM for a period of 30 days, instead of Pagasalai P.S. These material facts are not in dispute.

9. The respondent had complied with the direction partly but he has not signed before the Inspector of Police, Kumbakonam West P.S on the following dates 12.01.2026, 13.01.2026, 22.01.2026, 29.01.2026, 30.01.2026, 31.01.2026, 01.02.2026 and 03.02.2026. This is the only ground raised in the petition to cancel the bail. Therefore, the initial burden is upon the petitioner to prove this fact from the documentary evidence issued by the Inspector of Police, Kumbakonam West P.S.

10. In this case on hand, there is no such certificate or any other documents in writing issued by the Inspector of Police, Kumbakonam West P.S produced by the petitioner to prove the fact that the respondent has intentionally disobeyed the order of this court or failed to comply with the direction made in the order cited supra. In the absence of such certificate it is not appropriate to act on mere statement

without proof.

11. Coming to the another fact that the respondent had arrested by the Sirkali P.S in connection with a case registered in Cr. No. 53/2026 U/s. 296(b), 308(5), 351(3) of BNS and Sec. 25(1A) of Arms Act, 1959 on 02.02.2026. This is also not in dispute that the respondent has been in incarceration since 02.02.2026. In such circumstances the cancellation of bail which is a direct invasion on the liberty of a person to whom bail was granted cannot be interfered with by a court without the strong proof for tampering of witnesses and non compliance of direction etc.,

12. In this case, non compliance of direction about a week alleged by the petitioner has not been duly proved by a document obtained from the Inspector of Police, Kumbakonam West P.S. Therefore, this petition deserves dismissal.

In the result, this petition is dismissed.

Pronounced by me in open court, this the 16th day of March 2026.

District and Sessions Judge,
Mayiladuthurai.

To

1. The Inspector of Police, Manalmedu P.S.
2. The Inspector of Police, West P.S. Kumbakonam.