

**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.

Thursday, this the 12th day of March 2026.

CrI.M.P. No.312/2026

Balamurugan, S/o. Velayudam

...Petitioner / Accused

Vs

State through the Inspector of Police,

Poombuhar P.S in Cr. No. 363/2025

... Respondent/Complainant.

U/s. 296(b), 118(1), 351(3) of BNS & 25(1A) Arms Act.

This petition came up today for the hearing before me in the presence of Thiru. R. Radhakrishnan, Advocate for the Petitioner and Tmt. A. Aruna on behalf of Public Prosecutor for the State 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

1. This petition is filed U/s. 483 of BNSS, 2023.

2. Heard, the learned counsel for the petitioner and the learned Public Prosecutor.

3. The learned counsel for the petitioners/accused person would submit that the respondent police has originally registered a case against the petitioner for the offences U/s. 296(b), 118(1), 351(3) of BNS & 25(1A) Arms Act. The petitioner was subsequently arrested on suspicion and remanded to judicial custody on 26.12.2025 and is in judicial custody for the past 77 days. This is the 2nd bail application. Case Properties were recovered. More over this false case has been registered against the petitioner and he has no connection with this case. The petitioner is innocent and he did not commit any offences as alleged by the prosecution. Investigation is almost over. The petitioner is ready to abide by any conditions that would be imposed by this Court and prayed to grant bail to the petitioner.

4. The learned Public Prosecutor submitted that on 26.12.2025 at 09.00 AM the defacto complainant proceeded in the bazar, at that time the petitioner called the defacto complainant, demanded money from him, when it was refused, the petitioner scolded him in filthy language, threatened him with dire consequences and extorted Rs. 120 from his pocket. Hence, the case. There are 4 previous cases registered against him. Investigation is pending and objected to grant bail to the petitioner.

5. This court carefully considered the submission made by either side. The petitioner was remanded to judicial custody on 26.12.2025 for the alleged offence punishable U/s. 296(b), 118(1), 351(3) of BNS & 25(1A) Arms Act. The bail application vehemently opposed by the learned Public Prosecutor on the ground that he was detained under the Goondas Act. But the records would go to show that by an order dated 24.02.2026 in G.O.Rt. No. 1305 delivered by Home, Prohibition and Excise (XV) Department, goondas revoked. Considering the period of incarceration, this court is inclined to grant bail to the petitioner on conditions.

In the result, this petition is allowed. Consequently, the petitioner is ordered to be enlarged on bail on his executing a bail bond as defined in section 2(d) BNSS 2023 along with similar bail bonds from two persons each for a sum of Rs. 25,000/- to the satisfaction of the learned District Munsif cum Judicial Magistrate, Tharangambadi for undertakings his/her appearance for further proceedings, and with other conditions that,

(i) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Passbook to ensure the identity.

(ii) the petitioner shall report before the Respondent police station daily at 10.00 A.M for a period of 30 days.

(iii) The petitioner should co-operate for the investigation and should not threaten the witnesses.

(iv) the petitioner shall not abscond either during investigation or trial.

(v) the petitioner shall not tamper with evidence or witness either during

investigation or trial.

(vi) On breach of any of the aforesaid conditions, the Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji/Vs/State of Kerala, [(2005) AIR S.C.W.5560]*.

(vii) If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS.

Pronounced by me in the Open Court on the 12th day of March 2026.

District and Sessions Judge,
Mayiladuthurai.

Copy to

1. The District Munsif cum Judicial Magistrate, Tharangambadi.
2. The Inspector of Police, Poombuhar P.S.
3. The Petitioner through his counsel.