

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, PUDUKKOTTAI**PRESENT : Thiru.K.Poorana Jeya Anand, M.A., M.L.,****Principal Sessions Judge, Pudukkottai.****Saturday the 07th day of March, 2026**

Criminal Miscellaneous Petition No:662/2026

{CNR No.TNPD01-0011912026}

Ahamadhu Maidheen,
S/o. Mohamed Kasiyar @ Kutta Kasiyar.

.....Petitioner/1st Accused

/Versus/

State of Tamil Nadu represented by Inspector of Police,
DCB Police Station, Pudukkottai.
Cr.No.5/2026.

...Respondent/Complainant

This petition coming on this day before me for hearing in the presence of Thiru.M.Hajimohamed, Learned Advocate appearing for the Petitioner and of Thiru. M.Gulam Nabi Azath , Learned Advocate appearing for the intervener and the Learned Public Prosecutor Thiru.B.Venkatesan, on behalf of the Complainant and this Court passed the following,

ORDER

This petition is filed by the petitioner U/s. 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS) - 2023, praying for bail.

Notice was issued. Reply was filed by the prosecution.

The Learned Counsel for the petitioner submits that the petitioner is being charged for the offences U/s. 417, 420 of IPC in Cr.No.5/2026 of DCB Police Station, Pudukkottai and he has not committed any offences as alleged and he has been falsely implicated in this case. He further submits that the earlier bail petition was dismissed by the Judicial Magistrate No-II, Pudukkottai in CrI.M.P.No.495/2026 on 03.03.2026 and the petitioner is in judicial custody from 25.02.2026 and he is ready to abide by any condition imposed by this court and hence, he seeks bail for the petitioner.

The defacto complainant has filed an intervenor application through his counsel who has submitted that accused persons including this petitioner had received the amount of Rs.50lakhs for extension of their jewel shop and thereby cheated the defacto complainant and he strongly opposed to grant bail in favour of the petitioner.

Per contra, the Learned Public Prosecutor submits that the accused persons including this petitioner had received the amount of Rs.50lakhs for extension of their jewel shop and thereby cheated the defacto complainant and the investigation is still

pending and hence, he strongly opposed to release the petitioner on bail.

With regard to bail, this court relied upon a case law reported in AIR 1978 SC. 179 rendering by our Hon'ble Supreme Court of India in a case of "GURCHARAN SINGH Vs. STATE, wherein it has been held as follows:-

"We may repeat the two paramount considerations, viz. likelihood of the accused fleeing from justice and his tampering with prosecution evidence relate to ensuring a fair trial of the case in a court of justice. It is essential that due and proper weight should be bestowed on these two factors apart from others. There cannot be an inexorable formula in the matter of granting bail. The facts and circumstances of each case will govern the exercise of judicial discretion in granting or cancelling bail."

Both sides' contentions are taken into consideration. Admittedly, the petitioner is in judicial custody from 25.02.2026, but, this is a case of cheating. It seems that the investigation is still pending in this case. Strong objections are raised on the side of the prosecution. The earlier bail application was dismissed by Judicial Magistrate No-II court, Pudukkottai only on 03.03.2026. The petitioner has not established any change of circumstance to interfere with the earlier order of dismissal. By considering the above aspects, nature and gravity of the offence, the circumstances under which, the offence was committed, period of incarceration and strong objections raised on the side of the prosecution, this Court is not inclined to grant bail to the petitioner.

In the result, this Bail Petition is dismissed.

Pronounced by me in Open Court, this the 07th day of March' 2026.

**Principal Sessions Judge,
Pudukkottai.**

Copy to

The Counsel for the petitioner.
The Counsel for the Intervener