

**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 07<sup>th</sup> day of March, 2026**

Criminal Miscellaneous Petition No:689/2026

{CNR No.TNPD01-0012442026}

\*\*\*\*\*

Ilaiyaraja, S/o. Somu.

.....Petitioner / Accused

/Versus/

State of Tamil Nadu represented by Inspector of Police,  
Udaiyalipatty Police Station,  
Cr.No. 23/2026.

..Respondent/Complainant

This petition coming on this day before me for hearing in the presence of Thiru. Pon.Gajendran, earned Advocate appearing for the Petitioner 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. 20 r/w 25(1)(A) of Arms Act in Cr.No.23/2026 of Udaiyalipatty Police Station and he has not committed any offences as alleged and he has been falsely implicated in this case. The earlier bail petition was dismissed by this court in CrI.M.P.No.551/2026 dated 27.02.2026. He further submits that the petitioner is in judicial custody from 21.02.2026 and he is ready to abide any condition imposed by this Court and hence, he seeks bail for the petitioner.

Per contra, the Learned Public Prosecutor submits that the petitioner assumed that the defacto complainant was monitoring him and due to which, on 21.02.2026 the petitioner herein, arming with a deadly weapon i.e., sword and threatened the public and the petitioner only threatened the public, and he is having 11 other previous cases and investigation is 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."**

Respondent's side argument heard. No representation for the petitioners counsel due to abstaining from the courts. Records perused. The petitioner is alleged to have found in possession of abnormal size of deadly weapon namely Sword and threatened the public and threatened the public and the petitioner only threatened the public. However, he is in Judicial custody from 21.02.2026. It seems that the investigation would have been completed by this time. By considering the above aspects, other facts and circumstances of the case, period of incarceration, in view of the decision cited supra, and in the absence of any serious objection on the side of the prosecution, this Court is inclined to grant bail to the petitioner with stringent conditions.

In the result, this Bail Petition is allowed with the following conditions:-

- 1) The petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/-(Rupees Ten Thousands only) with two sureties each for a like sum to the satisfaction of the Jurisdictional Magistrate,
- 2) The petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and also submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their identity,
- 3) The petitioner shall report before the Station House Officer of Respondent Police Station daily at 10.30 a.m., for a period of 30 days from the next day of their release, without fail and thereafter, as and when required for interrogation,
- 4) The petitioner shall not tamper with the prosecution witnesses and he shall be available for the trial as well. Further, he shall not misuse the liberty granted to him by indulging in any further offence and also not to leave the station either to abroad or other State without permission of this Court,
- 5) On breach of any of the above said conditions, the Jurisdictional Magistrate is entitled to take appropriate action against the petitioner in accordance with law as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala reported in (2005) AIR SC W 5560.

- 6) If the petitioner thereafter abscond, a fresh FIR can be registered under section 269 of BNS and
- 7) The Station House Officer of respondent Police Station is directed to send a report to this court as to compliance of reporting condition by the petitioner.

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

**Principal Sessions Judge,  
Pudukkottai.**

**Copy to**

The Judicial Magistrate , Keeranur.

The Inspector of Police, Udaiyalippatti P.S.,

The Superintendent, Central Prison, Trichy or the concerned Jail Authority where the petitioner is under Judicial custody now.

The Counsel for the petitioner.