

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, PUDUKKOTTAI

**PRESENT : Thiru.T.Panneerselvam, MBA., M.L.,
Additional District and Sessions Judge / Presiding Officer,
Special Court for E.C. and NDPS Act cases, Pudukkottai.
Principal Sessions Judge, Pudukkottai (FAC).**

Monday the 06th day of July 2026

Criminal Miscellaneous Petition No: 1830/2026

{CNR No.TNPD01-0032012026}

Jothiraman, S/o.Sevugan

..... Petitioner/Accused

/Versus/

State of Tamil Nadu represented by the Inspector of Police,
Thirugokarnam Police Station, Pudukkottai
Cr.No.133/2026.

.... Respondent/Complainant

This petition coming on this day before me for hearing in the presence of Thiru.N.Nagarathinam, Learned Advocate appearing for the Petitioner and the Inspector of Police/Station House Officer of the respondent police/Police Nodal Officer Mr.M.Murugesan, is present, on behalf of the Respondent/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.296(b), 115(2), 351(3) of BNS r/w 20, 25(1)(a) of Arms Act in Cr.No.133/2026 of Thirugokarnam Police Station 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 this court in CrI.M.P.No.1781/2026 on 25.06.2026 and the petitioner is in judicial custody from 13.06.2026 and he is ready to abide any condition imposed by this Court and hence, he seeks bail for the petitioner.

Per contra, the Respondent Police/State submits that on 11.06.2026 the accused persons including the petitioner herein, had used filthy languages against the defacto complainant and they have assaulted with hands and arming with a deadly weapon i.e., long Patta Kathi and threatened the Public and the defacto complainant and the petitioner is having two 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.”

Rival submissions are taken into consideration. Perused the records. As per the prosecution case on 11.06.2026 the accused persons including the petitioner herein, had used filthy languages against the defacto complainant and they have assaulted with hands and arming with a deadly weapon i.e., long Patta Kathi and threatened the Public and the defacto complainant and the petitioner is having two previous cases. The petitioner is in Judicial custody only from 13.06.2026. The earlier bail petition was dismissed by this court on 25.06.2026 and the petitioner has not established any change of circumstances to interfere with the earlier order of dismissal. It seems that the investigation is pending. Further, it seems that the petitioner is having two previous cases. By considering the above aspects, other facts and circumstances of the case, the offence is very serious in nature and there is a chance for absconding, the period of incarceration, the circumstances under which, the offence was committed and in view of the decision cited supra and strong objections raised on the side of the prosecution, this Court is not inclined to grant bail in favour of the petitioner at this stage.

In the result, this Bail Petition is dismissed.

Pronounced by me in Open Court, this the 06th day of July 2026.

**Principal Sessions Judge(FAC),
Pudukkottai.**

Copy to
The Counsel for the petitioner.