

**IN THE COURT OF THE JUDICIAL MAGISTRATE NO II,
RAMANATHAPURAM**

**Present: Thiru. S.B. Sujith, B.A.,B.L.,(HONS)
District Munsif cum Judicial Magistrate, Rameshwaram
Judicial Magistrate No II(FAC), Ramanathapuram**

Monday, the 09th day of March 2026

CIS Cr.M.P.No.257/2026

CNR.No.TNRM02-000754-2026

IN

C.C.No. 278/2024

Rahuman @ Rahuman Khan,
S/o.Abbazh,

..... Petitioner/ Accused

Versus

State represented by the Inspector of Police,
Ervadi Dharga P.S, Ramanathapuram
Cr.No.81/2024

..... Respondent / Complainant

For Petitioner : Tr. Raja Sahul Hameed Advocate.
For Respondent : Tr. Elango. APP.

This petition taken on file on 06.03.2026 and coming up for final hearing on 09.03.2026. Upon hearing the arguments of both sides and upon perusal of the records and having stood over for consideration till this day, this court delivers the following.

ORDER

1. This is a petition filed by the petitioner/Accused under section 480 of the BNSS for bail.
2. The Petitioner is accused in Cr.No.81/2024 of Ervadi Dharga Police Station for the offences punishable under sections 294(b), 324, 506(ii) IPC. The nature of offence is non bailable.

3. The Learned counsel for petitioner/Accused has argued that, the petitioner is an accused in C.C.No. 278/2024 in Crime No.81/2024, u/s.294(b), 324, 506(ii) IPC. The Petitioner was arrested on the execution of NBW and remanded to Judicial Custody on 04.03.2026. The Petitioner/Accused is innocent and no way connected with this offence. He is in the Judicial Custody for the past 9 days. The petitioner is ready to abide any condition imposed by this court and produce sufficient sureties for his bail. Further the learned counsel for the accused assured that if released on bail, the petitioner would appear before this court regularly.
4. On the other hand, the Learned Assistant Public prosecutor has opposed to release the petitioner/Accused on bail by stating that if released on bail the petitioner/accused would not appear before this court during trial. The case is in the stage of framing of charge. There is three previous criminal case pending as against the accused
5. Heard both sides. Records perused. Considering the rival submissions put forth by either sides and on perusal of entire materials on records, it is found that, the petitioner was arrested and remanded to Judicial Custody on execution of NBW on 04.03.2026. The Petitioner/Accused is in Judicial Custody for the past 9 days. It is found that NBW issued against accused on 17.03.2025 and same was executed on 04.03.2026. The petitioner has not submitted any satisfactory reasons as to the abscondance for one year. Hence this petitioner has been remanded to judicial custody. It is well settled law that while granting

bail after the execution of NBW, the paramount consideration of the court along with other factors must be likelihood of accused appearing before the Court. On perusal of records, it is found that due to the non appearance of this accused, the case did not have any progress till now and pending in the stage of framing of charges. Therefore if released on bail, there is high probability that the accused would abscond. Therefore releasing the accused at this stage would not be just and proper.

6. Therefore considering the nature and gravity of the offence, previous antecedent of the accused, stage of the case, the period of incarceration of the accused, the fact that there are high chance for the abscondance of the accused and all the above said aspects, this court is not inclined to grant bail to the petitioner/accused.

In the result, Bail petition is Dismissed.

Dictated by me to typist directly and typed by her, corrected and pronounced by me on 09.03.2026.

**Judicial Magistrate No.II(FAC),
Ramanathapuram.**