



IN THE COURT OF THE JUDICIAL MAGISTRATE, THIRUVADANAI.

Present : Thiru. J. Antony Rishandev, B.B.A., L.L.B (Hons).
Judicial Magistrate,
Thiruvadanai.

Dated, Monday the 16th day of March 2025

Cr.M.P. No. 196/2026

in

Cr. No. 24/2026

1.Magendran(Mantha) (Age 34/2026),
S/o.Malaikannan
Anna Nagar,Valantharavai
Ramanathapuram District.

2. Anbumanikandan S/o.Muthuramalingam
Mela Valasai,Regunathapuram
Keelakarai,Ramanathapuram

..... Petitioner/ AccusedA1, A2

/Vs/

State through Sub Inspector of Police,
Thiruppalaikudi Police Station,
Cr.No. 24/2026,
U/s. 304(2) BNS

..... Respondent / Complainant

This petition came up for hearing before me on 16.03.2026 in the presence of the Petitioner/Accused Advocate Thiru.S.Shanmuganathan and Respondent / Complainant Advocate Thiru.Elango APP Grade – I upon perusing the documents and hearing, this Court makes the following,

ORDER

1. Filling of the Bail Petition

The Petitioners/Accused have filed this bail application under Section 480 of the BNSS, seeking bail in connection with Crime No.24/2026, wherein they have been alleged to have committed offence under Section 304(2) BNS. The Petitioners were arrested on 28.02.2026 and have been in judicial custody since then. The accused persons were alleged to have thrown chilli powder



on complainant's face and to have snatched the chain of the defacto complainant by threatening her with sickle. The Petitioners claim that they are innocent.

2. Prosecution's Objection

The Prosecution has objected to the bail application on the following grounds:

- i. The investigation is still pending.
- ii. Previous cases are pending against the accused persons.
- iii. The P.R.No. has not yet been given for the case properties.
- iv. There is a potential risk of the accused committing similar offenses if granted bail. Since both the accused have criminal history.
- v. The Section of this case is altered from 304(2) BNS to 309(4) BNS.

3. This Court has heard the arguments of the learned counsel for the Petitioners, Thiru.S.Shanmuganathan and the learned Public Prosecutor, Thiru.Elango APP Grade – I. The Court has also perused the case records and considered the submissions made by both parties.

4. Relevant Legal Principles

The Hon'ble Supreme Court and various High Courts have emphasized that when considering a bail application, the following factors must be evaluated:

- i. The nature and gravity of the offense.
- ii. The likelihood of the accused persons absconding or tampering with evidence.
- iii. The necessity of custodial interrogation.
- iv. The risk of the accused persons committing further offenses while on bail.
- v. The likelihood of securing the accused's presence during the trial.

5. In the present case, this Court notes the following:

- i. The Prosecution strongly opposed bail. highlighting that the accused persons have a history of previous criminal cases pending against them.



- ii. The Petitioners failed to effectively counter the Prosecution's arguments, and their contention did not provide sufficient justification as to why the accused persons should be granted bail, at this crucial stage of investigation.
- iii. The investigation remains at a crucial stage, and releasing the accused persons could potentially hamper the ongoing process.

6. Decision

Given the circumstances, including the seriousness of the allegations, the pending investigation and previous criminal cases pending against the accused persons, this Court finds that granting bail at this stage would not be appropriate. Therefore, in the interest of justice, this Court is not inclined to grant bail to the accused persons.

In the result, the bail petition is dismissed.

Dictated by me to the Typist and she typed in the Computer and Corrected and Pronounced by me in the Open Court on 16th day of March 2026.

Judicial Magistrate,
Thiruvadanai.