



IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, SIVAGANGAI.

PRESENT: Tmt. K.Arivoli., M.A., M.L.,

Principal Sessions Judge, Sivagangai.

Tuesday, the 10<sup>th</sup> day of March - 2026

**Cr.M.P.No.499/2026**

*(CNR No.TNSV01000851-2026)*

Santhakumar, (Age 29), S/o.Subarmanian,  
Keelakulam, Sivagangai Taluk, Sivagangai District.

. . . Petitioner/Accused

Vs.

State Rep. by  
The Sub-Inspector of Police,  
Sivagangai Taluk Police station  
(Cr.No.237/2025)

. . . Respondent/Complainant

The petition coming on this day for final hearing before me in the presence of Thiru.G.Karuppaiah, Advocate for the Petitioner and of Thiru.A.Alagarsamy, Public Prosecutor for the State, after hearing both sides and perusing the written reply submitted by the respondent and records, this court delivers the following :

**ORDER:-**

1. The petitioner, who is in judicial custody for the offences charged u/s.304(2) of B.N.S Act in Crime No.237/2025 of the respondent police since 06.02.2026 is seeking for his release on bail u/s.483 of B.N.S.S.

2. According to the petitioner, the petitioner is the 3<sup>rd</sup> accused in the crime number and there are totally four accused in this case and as against him, allegations have been levelled by the *defacto* complainant alleging that the petitioner along with other accused have committed snatched the 4 3/4 sovereigns of gold Mangalayam, 1/4 sovereign of gold ear ring, 4 sovereign of gold chain and cell phone worth about Rs.4,000/- from the *defacto* complainant. The learned counsel for the petitioner has submitted the order passed by the Hon'ble Madurai Bench of Madras High Court in CrI.OP(MD)NO.439/2025, dated:21.01.2025, in which it is held that passing of the



detention order against the petitioner cannot be a bar for deciding the bail application filed by the petitioners. Further, the learned counsel for the petitioner has submitted relied upon Judgment in Prabhakar Tewari Vs. State of U.P. and another - Hon'ble Supreme Court of India - Criminal Appeal No.153/2020, in which it is held that the offence alleged no doubt is grave and serious and there are several previous cases pending against the accused and these factors by themselves cannot be the basis for refusal of prayer for bail. According to the petitioner, he is innocent and he has not committed any offence as alleged by the prosecution. The petitioner had given undertaking that he would never abscond nor tamper or hamper the witnesses and ready to abide by any condition imposed by the court and willing to produce sufficient solvent sureties to the satisfaction of the Judicial Magistrate. Hence, the Petitioner prays for considering his bail application.

3. The respondent filed his detailed objections in writing and the learned Public Prosecutor had submitted that investigation is still pending and the petitioner is involved in several previous cases and also he is detained under Goodas Act. In the event, if the petitioner is released on bail, he would abscond and may not appear before the Court by abiding the condition. He would indulge in similar offences and hence the Public Prosecutor strongly opposed the grant of bail application to the petitioner.

4. By considering the submissions of the parties and the fact that the petitioner is in custody from 06.02.2026 and the snatched properties have recovered and co-accused have already been released on bail by the concerned Judicial Magistrate. Per contra, the learned Public Prosecutor has strongly contended that the investigation is still pending and the petitioner is detained under Goodas Act and the



.3.

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petitioner is involved in twenty two previous cases and in the event, if the petitioner is enlarged on bail, he may indulge in similar kind of offence in future. Considering all these circumstances and also the criminal antecedents of the petitioner, this Court is not inclined to consider the bail application of the petitioner.

In the result, *the petition is dismissed.*

Given by me, this the 10<sup>th</sup> day of March - 2026.

Principal Sessions Judge,  
Sivagangai.

**Copy to :**

1. The Judicial Magistrate No.II, Sivagangai.
2. The Public Prosecutor, Sivagangai.
3. The Inspector of Police, Sivagangai Taluk Police Station.
4. Counsel for the Petitioner.