



IN THE COURT OF PRINCIPAL SESSIONS JUDGE, SIVAGANGAI.

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

Principal Sessions Judge, Sivagangai.

Tuesday, the 17th day of March - 2026

Cr.M.P.No.535/2026

(CNR No.TNSV01000902-2026)

Prabhudeva, (Age 28), S/o.Rajendran,
Nalukottai, Sivagangai Taluk, Sivagangai District.

. . . Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
Sivagangai Taluk Police station
(Cr.No.64/2026)

. . . Respondent/Complainant

The petition coming on this day for final hearing before me in the presence of Thiru.K.Murugan, Advocate for the petitioner and of Thiru.A.Alagarsamy, Public Prosecutor for the State and after hearing the both side and perusing the petition, written reply and records, this Court delivers the following . . .

ORDER:-

1. The petitioner, who is in judicial custody for the offence charged u/s.25(1A) Arms Act in Crime No.64/2026 of the respondent police since 19.02.2026 is seeking for his release on bail u/s.483 of B.N.S.S.

2. According to the petitioner, the petitioner is the sole accused in the present case and as against him, allegations have been levelled by the *defacto* complainant alleging that the petitioner had illegally possessed with the prohibited weapon of sword by creating law and order problem in the locality. According to the petitioner, he is innocent and he has not committed any offence as alleged by the prosecution. The petitioner has 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 Petitioners pray for considering his bail application.

3. The respondent filed his detailed objections in writing and the learned Public Prosecutor had submitted that the investigation is still pending and the petitioner is involved in seven previous cases. 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 offence in future and hence the Public Prosecutor 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 judicial custody from 19.02.2026 and no one has sustained injury in the incident and the alleged property has been recovered and no private complaint has been filed against the petitioner. Considering the fact that though the petitioner got previous cases, he was granted bail in all those cases and no one has sustained injury in the incident, this Court is inclined to consider the bail application of the petitioner with the following stringent conditions.

In the result, ***the petition is allowed*** and the petitioner is ordered to be released on bail on his executing bond for Rs.10,000/- with two sureties each of like sum to the satisfaction of the Judicial Magistrate No.II, Sivagangai with a condition that the petitioner shall stay at Pudukottai District and appear, sign before the Karaiyur Police Station daily morning at 10.00 a.m., and evening at 05.00 p.m., and shall sign for 30 days and thereafter, shall appear on summon.

The sureties shall affix their photographs and left thumb impression and the Judicial Magistrate while considering the sureties, shall obtain the copy of their



.3.

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Aadhar card or bank pass book to ensure their identity.

The petitioner's photograph and Aadhaar Card or bank pass book copy shall also be obtained while considering the sureties.

The Petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade from disclosing such facts to the court or to any Police Officer. That the petitioners shall not leave the State of Tamil Nadu without prior permission of the learned Judicial Magistrate. The Petitioner shall not commit further offences of similar nature and shall appear before the respondent police station as and when required.

The Petitioner shall co-operate for early disposal of the matter.

On breach of the aforesaid conditions, the learned Judicial Magistrate, before whom the case is pending is at liberty to initiate / take appropriate action against the petitioner in accordance with law as laid down in the judgment of Hon'ble Supreme Court in P.K.Shaji Vs. State reported in AIR 2005 SCW 5506.

In the event, if the petitioner absconds, a fresh F.I.R shall be registered u/s.269 of BNS.

Given by me, this the 17th 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 and Karaiyur P.S.
4. Counsel for the Petitioner.

17.03.2026

Principal Sessions Judge, Sivagangai