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Crl.M.P.No.228 of 2026

IN THE COURT OF THE JUDICIAL MAGISTRATE, KARAIKUDI

PRESENT: THIRU.J.KARMEGAKANNAN, B.A., B.L.,

JUDICIAL MAGISTRATE, KARAIKUDI

Monday the 23rd day of March 2026.

Crl.mp.No.228 of 2026

Crime No.261 of 2025

(On the file of Kallal Police Station)

CNR No.TNSV19 – 000 –520 – 2026

A2. Pethuraj, (60/2026)

S/o.Soundarapandiyan

...Petitioner/Accused No.2

/vs/

The Inspector of Police

Kallal P.S

Cr.No.261/2025

... Respondent

On today, this petition coming for final hearing before me on 23.03.2026 in the presence of Advocate Thiru.S.Bharathi for the Petitioner and being defended by the Learned Assistant Public Prosecutor. Upon perusing the records and having stood over for consideration, this court delivers the following.



ORDER

1.This petition has been filed by the petitioner/accused seeking bail.

2. The petitioner is the 2nd accused in the above case. He was arrested and remanded to judicial custody on 25.02.2026, in Connection with crime no.261/2025 for the alleged offences punishable under Section 303(2) of the Bharatiya Nyaya Sanhita. The case of the prosecution, in brief, is that the 1st accused was involved in the theft of temple bells and based on the confession statement made by the 1st accused, the present petitioner has been implicated and arrayed as the 2nd accused in this case.

3. The learned counsel appearing for the petitioner would submit that the accused has not committed any offence as alleged by the prosecution and that he has been falsely implicated solely on the basis of the confession statement of the 1st accused. It is further contended that there is no independent material available on record to connect the petitioner with the alleged occurrence. The learned counsel would further submit that the petitioner has been in custody from 25.02.2026 and the investigation is almost completed. It is also submitted that the petitioner is ready and willing to abide by any condition imposed by this court.



4. Per contra, the learned Assistant Public Prosecutor would oppose the bail petition and submit that though the petitioner has been implicated based on the confession of the 1st accused, the allegations are serious in nature involving theft of temple property. It is further contended that if the petitioner is released on bail, there is a possibility of his absconding and interfering with the course of investigation. Hence, the learned Assistant Public Prosecutor prayed for dismissal of the petition.

5. This court has carefully considered the rival submissions made on either side and perused the materials available on record.

6. It is not in dispute that the petitioner has been in judicial custody from 25.02.2026. It is seen that the implication of the petitioner is primarily based on the confession statement of the 1st accused and there appears to be no strong independent material, at this stage, connecting the petitioner with the alleged offence. It is also seen that the investigation has substantially progressed.

7. While considering the bail application, this court has to balance the gravity of the allegations with the personal liberty of the accused. The continued detention of the petitioner, particularly when the investigation is nearing completion and the case against him is based on the statement of a co



accused, is not warranted. The apprehension of the prosecution can be adequately addressed by imposing stringent conditions. In the considered opinion of this court, further custody of the petitioner is not necessary and he can be enlarged on bail subject to conditions.

8. Accordingly, this Criminal Petition is allowed and the petitioner/accused is ordered to be released on bail subject to the following conditions:

(i) The petitioner/accused shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties each for a like sum to the satisfaction of this court. At the time of sureties the accused shall produced his Aadhar card and bank pass book along with his photo.

(ii) The accused shall appear before the respondent police daily at 10.00 a.m. and 05.00 p.m. and sign until further orders.

(iii) The accused shall not abscond and shall cooperate with the investigation and trial.

(iv) The accused shall not tamper with evidence or attempt to influence any witness either directly or indirectly.

(v) The accused shall not commit any offence while on bail.

(vi) The accused shall not leave the jurisdiction of the court without prior permission of the court.



(vii) The accused shall furnish his residential address and mobile number to the respondent police and shall not change the same without prior intimation.

(viii) In case of breach of any of the above conditions, the respondent police are at liberty to move an application for cancellation of bail before this court.

Order pronounced by me in the open Court on the 23rd day of March 2026.

Judicial Magistrate,
Karaikudi.