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CrI.M.P.No.492/2026
Odaipatti Police Station
Crime No : 499/2025

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THENI.

Present : Thiru. Swarnam J. Natarajan, M.L.,

Principal Sessions Judge, Theni.

Monday, this the 16th day of March - 2026

CrI.M.P.No.492/2026 - In -

CNR.No.TNTH01-000883-2026

Muthuraja @ Muthu

... Petitioner/Accused

Vs.

The State rep. by
The Inspector of Police,
Odaipatti Police Station,
(Cr.No.499/2025)

... Respondent / Complainant

The petition coming on this day for final hearing before me in the presence of Thiru. A. Ganesan, Advocate for the petitioner and Thiru. P. Baskaran, 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

The petitioner, who is in judicial custody for the offences charged u/s.311 BNS @ 309(6) BNS and 4 of TNPHW Act in Crime No.499/2025 of the respondent police since 21.01.2026 is seeking for his release on bail u/s.483 of B.N.S.S.,

16.03.2026

Principal Sessions Judge, Theni.



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2. According to the petitioner, he is the 1st accused in the crime number and as against him, allegations have been levelled by the de-facto complainant alleging that on 15.10.2025, the petitioner along with other accused waylaid the bike of the de-facto complainant, extorted a sum of Rs.1,300/- from him and also threatened his relative, who accompanied him on the bike. According to the petitioner, he is innocent and he had 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 petitioner prays for considering his bail application.

3. The respondent filed his detailed objections in writing and the learned Public Prosecutor had submitted that the petitioner is involved in 08 previous cases and the investigation is still pending and 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 kind of offence and hence, the Public Prosecutor strongly opposed the grant of bail application to the petitioner.

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4. By considering the submissions of the parties and it is alleged that the accused persons waylaid the bike of the de-facto complainant, extorted a sum of Rs.1,300/- from him and also threatened his relative, who accompanied him on the bike and the petitioner is involved in 08 previous offences. Considering the fact that the petitioner was already considered bail by the Hon'ble Madurai Bench of Madras High Court in CrI.O.P.(MD).No.4857/2026 dated 09.03.2026 in crime number 453/2025 and the petitioner in the present case is in judicial custody from 21.01.2026, this court is inclined to consider the bail application of the petitioner with the following conditions.

(i) Bond and Sureties :-

In the result, this 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, Uthamapalayam.**

(ii) Swearing of Affidavit :-

The petitioner shall swear an affidavit to that effect that he would not indulge in further offences in future and shall co-operate for early disposal of the matter and would not seek for time for cross examination of the witnesses and he would be available himself for interrogation and for trial and would not

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file an application to dispense with his appearance under these conditions. On such affidavit being sworn before the Superintendent of Prison concerned, where the petitioner is detained. On such affidavit being received the jurisdiction Magistrate shall consider the sureties of the petitioner.

(iii) Daily Appearance Requirement :-

The petitioner **shall appear and report before the Respondent Police Station daily at 10.00 a.m., and 5.00 p.m., for 30 days and thereafter, shall appear on summons.**

(iv) Identification Documentation :-

(a) The sureties shall affix their photographs and left thumb impression and the Judicial Magistrate while considering the sureties, shall obtain the copy of their Aadhar card or bank pass book to ensure their identity.

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

(v) Maintenance of Active Contact Details for Receipt of E-Summons and Court Communications :-

The accused shall, at the time of release, while furnishing surety, furnish to the Superintendent of Prison concerned, his authenticated mobile number which is active and also email address, if any available, which shall be treated



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as the official contact details of the accused person for the purpose of service of summons, notices and all further communications in connection with the case including appeal. The accused shall also provide the mobile number of an adult member of his family as his alternative contact number along with email ID, which is active. The sureties shall undertake the responsibility of ensuring that any communication / summons / notice received through the aforesaid contact details is duly intimated to the accused without delay by furnishing their contact number as well as email ID. The contact details so furnished shall not be altered or changed during the pendency of the proceeding without prior permission of the court concerned, wherein the case is against the petitioner is pending. In the event of any change in the said contact details without prior intimation and permission of the court, such conduct shall entitle a presumption of due service of communication and it may also be treated as an indicative of the accused absconding warranting appropriate action in accordance with law, including cancellation of bail for his failure to furnish the contact details.

Note :-

These particulars were obtained only to ensure the compliance of new amendment to the Criminal Rules of Practice for effective service of summons,

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intimation of further proceedings to the accused person through e-summons for early disposal of case / for speedy trial.

(vi) Cooperation with Investigation :-

The petitioner shall make himself available for interrogation by the respondent police Officer as and when required for enquiry.

(vii) Terms Imposed for Ensuring Expeditious Trial :-

By recording the undertaking of the petitioner's counsel that the petitioner would not delay the trial / inquiry in any event from his side by purposefully seeking for adjournment or deferring of the cross-examination of the witnesses, in the event if the chief examination is taken. In the event if the condition is violated, the court concerned is at the option to cancel the bail granted by this court and remand the accused person to judicial custody, if it appears that the petitioner purposefully tries to drag on or delay the proceedings on his side or willfully absents himself, in co-ordination with the other accused persons, one after the other for the purpose of delaying the trial or committal proceedings further.

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(viii) Non-Interference:

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.

(ix) Travel Restrictions :-

That the petitioner 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.

(x) Compliance and Cooperation :-

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

(xi) Consequences of Breach :-

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.



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(xii) Absconding Consequences:-

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 16th day of March - 2026

**Principal Sessions Judge,
Theni.**

Copy to :-

1. The Judicial Magistrate, Uthamapalayam.
2. The Public Prosecutor, Theni.
3. The Inspector of Police, Odaipatti Police Station.
4. Counsel for the petitioner.

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