

IN THE COURT OF JUDICIAL MAGISTRATE, ANDIPATTI

Present: THIRU. H.FAZIL MOHAMED,B.B.A.,LL.B(HONS)

Judicial Magistrate, Andipatti

Dated on this 29th day of May 2026.

Cr.M.P.No:1238/2026

Ilararaja S/o. Vaiyapuri

... Petitioner/ Accused

-Vs-

State

Rep by Inspector of Police,
Gandamanur Police Station
(Crime No:225/2026)

...Respondent/ Complainant

The petition has been filed on behalf of Petitioner/Accused to release him on bail u/s 480 of BNSS This application/petition coming before me for a final hearing on 23.05.2026 This court has taken up this petition for bail in pursuance of the bail petition filed by Thiru.R.Shanmugam upon perusing the petition and the relevant materials on record and upon hearing both sides arguments, this court passes the following

ORDER

1. Heard both sides. Records perused. The petitioner is the accused in Crime. No.225/2026 of Gandamanur Police Station for the alleged offence U/s. 296(b), 118(1), 351(3), BNS Learned counsel for Petitioner has filed this First bail petition seeking for grant of bail.

2. The learned counsel for the petitioner submitted that the petitioner is innocent and had not committed any offence as alleged by the prosecution. The petitioner is a law-abiding citizen and he has given an undertaking that he would never abscond nor tamper or hamper the witnesses and is ready to abide by any condition imposed by the court. The petitioner has been in prison from 22.05.2026 for 8 days. Hence, the petitioner prays for consideration of his bail application.

3. *Per contra*, the respondent filed his detailed objections in writing and the learned Public Prosecutor had submitted even though investigation is still pending in this case. In

the event, that the petitioner is released on bail, he would abscond and may not appear before the court by abiding the condition. He would indulge in a similar kind of offence and hence, the Public Prosecutor strongly opposed the grant of bail application to the petitioner.

4. This court considered the rival submissions. In the present case on hand, the Offence under Section 118(1), is a non-bailable one. Even though the offence is non-bailable the personal liberty of the petitioner must be given more weightage as bail is the rule and jail is the exception. Victim discharged from the hospital. Admittedly petitioner is in Jail for 8 days. For the foregoing reasons and considering the period of incarceration this court is inclined to allow this petition

In this result, the petition is allowed on the following conditions

6. (i) Bond and Sureties:-

In the result, this petition is allowed and the petitioner/ accused are hereby ordered to be released on bail by execute the bond for the sum of Rs.10,000/-with two sureties each for like sum satisfaction.

(ii) Daily Appearance Requirement:- The petitioner shall appear and report before the Respondent Police Station daily at 10.00 a.m. for a period of 30 days and thereafter, shall appear on summons.

(iii) Identification Documentation :-

(a) The petitioner's and sureties photograph and Aadhaar Card or bank passbook copy shall also be obtained while considering the sureties.

(iv) Cooperation with Investigation:-

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

(v) 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.

(vi) Compliance and Cooperation:-

The petitioner shall co-operate for investigation and trial.

(vii) Consequences of Breach:-

On breach of the aforesaid conditions, this is court shall 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.**

(viii) Absconding Consequences:-

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

In the result this petition is allowed.

This order is dictated to Steno-typist, typed by her in system, corrected and pronounced by me in open court on this 29.05.2026

Judicial Magistrate,
Andipatti.