

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: 1274/2026

Karthick S/o.Sivan

... Petitioner/ Accused

-Vs-

State
Rep by Inspector of Police,
Aundipatti Police Station
(Crime No: 537/2026)

...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 27.05.2026 This court has taken up this petition for bail in pursuance of the bail petition filed by Thiru.k.Murugan Learned Counsel for the petitioner and the Learned Assistant Public Prosecutor, representing the state, 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.537/2026 of Aundipatti Police Station for the alleged offence U/s. 191(2), 296(b), 115(2), 118(1), 351(2) BNS, 4 TNPHW Act. Learned counsel for Petitioner has again filed this petition, seeking for grant of bail.
2. The learned counsel for the petitioner submitted that the petitioner is innocent and he had not committed any offence as alleged by the prosecution. The petitioner is the 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 26.05.2026 for 4 days. Hence, the petitioner prays for consideration of his bail application.

3. *Per contra*, the respondent filed his detailed objections had submitted that investigation is still pending in this case, in the event of releasing the petitioner on bail, there are chances that he would abscond and may not appear before the court by abiding the conditions, and also there are chances that he would indulge in a similar kind of offence and hence, strongly opposed the grant of bail application to the petitioner.
4. This court considered the rival submissions. Admittedly the petitioner is undergoing incarceration for the past 5 days. The offence under Section 4 TNPHW alone is non-bailable and the other offences are bailable. Though the respondent in his written objection raised the contention that the accused may abscond, the same cannot be taken as a straight jacket formula. Since the right of personal liberty is involved much weightage to be given to that aspect also, be that as it may, bail is a right and jail is an exception. the accused is the husband and wife the defacto complainant and it is family issue between the accused and the defacto complainant. For the foregoing reasons and considering the period of incarceration and the stage of investigation, this court is inclined to grant bail to the accused by imposing certain conditions.

5. **(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 the summons.

(iii) Identification Documentation :- The petitioner's and sureties photograph and Aadhaar Card with or 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

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.