

IN THE COURT OF JUDICIAL MAGISTRATE, ANDIPATTI

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

Judicial Magistrate, Andipatti

Dated on this 02nd day of July .

Cr.M.P.No:1528/ 2026

A1 Santhoshkumar S/o.Saravanan

... Petitioner/ Accused

-Vs-

State

Rep by Inspector of Police,
Kadamalaikundu Police Station
(Crime No:323/ 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 02.06.2026 This court has taken up this petition for bail in pursuance of the bail petition filed by Thiru.C.Thangaprabu Learned Counsel for the petitioner 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.323/2026 of Kadamalaikundu Station for the alleged offence U/s.303(2), BNS. Learned counsel for Petitioner has again filed this First 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 13.06.2026 for 19 days. Hence, the petitioner prays for consideration of his bail application.

3. *Per contra*, the respondent filed his detailed objections in writing and had submitted that the 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 and perused the available records. Even though the offence under section U/s.303(2) of BNS is Non-bailable in Nature, the accused was in judicial custody for 19 days. The Considering the fact and circumstances of the case and the period of incarceration undergone by the accused this court is inclined to grant bail to the accused by imposing following 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 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 photograph and Aadhaar Card or bank pass book copy shall also be obtained while considering the sureties.

(b) The sureties photograph and Aadhaar Card or bank pass book 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 of BNS

In the result this petition is allowed.

This order is dictated to Steno-typist, typed by her in Computer, corrected and pronounced by me in the open court on this the 02nd day of July 2026

Judicial Magistrate,
Andipatti.