

IN THE COURT OF JUDICIAL MAGISTRATE, AVINASHI
PRESENT :Tmt. N.Keerthana, B.A.,L.L.M.,
Judicial Magistrate,
Avinashi.

On Wednesday, the 11th day of March 2026

E.Crl.M.P. No.271/2026

in

Cr. No.35/2026

Esakkimuthu,
S/o. Sudalai Devar

... Petitioner/Accused

/Vs/

State rep by, The Inspector of Police, Perumanallur Ps
Crime No.35/2026, u/s.331(4), 305(a) of BNS

..... Respondent/Complainant

This petition has come up on 11.03.2026 for final hearing before me in the presence of **Thiru. A. Subash Arjun**, the Learned counsel appearing for the petitioner and the Learned Assistant Public Prosecutor appearing for the Respondent and upon perusal of the records, this court delivers the following.

ORDER

This is an application filed by the petitioner to enlarge him on bail under Section 480 of BNSS, 2023.

2. **The Gist of the Petitioner:**

The petitioner submits that the respondent police had registered the above

case for the alleged offences **u/s.331(4), 305(a) of BNS**. The Petitioner was arrested on **03.02.2026** and he is in judicial custody for the past **37** days. The petitioner is innocent person, he is no way connected with the offences. Further, he states that a false case has been foisted against him. If he is released on bail, he will neither abscond nor tamper the witnesses. Further, he stated that he is the only bread winner of his family and he is ready to furnish sufficient sureties for the satisfaction of the court and he prayed that he may be enlarged on bail.

3. **Objection filed by the prosecution :**

The Prosecution submitted that the investigation is still pending. The accused having previous cases at Thenkasi and Tutocorin District in various crime numbers. If the petitioner is released on bail, he may abscond and indulge in same kind of offences. Hence, the prosecution side strongly opposed for granting bail to the petitioner.

4. Both side Heard. Records carefully perused. On the materials, it is seen that the accused have been arrested on **03.02.2026** and he is in judicial custody for the past **37** days. The petitioner undertakes to obey the conditions imposed by this court.

5. Considering the facts and circumstances, along with the period of time that the petitioner is under judicial custody and nature of offences, this Court is inclined to allow this application on the following conditions : -

- i) The petitioner shall execute a bond for a sum of Rs.10,000/- with two

sureties each for the same amount.

(ii) that the photographs and left thumb impressions of the sureties be affixed in the surety bond,

(iii) that a copy of their aadhar card/voter identity card/bank pass book of the accused and sureties be furnished for their identity,

(iv) that the cell phone numbers of the sureties and of the petitioner/accused be furnished,

(v) that the petitioner/accused shall not in any way tamper the witnesses or the investigation,

(vi) that the petitioner should appear before the respondent police station and sign at 10.00 AM for 60 days.

(vii) If any of the conditions are violated the respondent police is at liberty to file cancellation of bail u/s 480(5) of BNSS.

Directly dictated by me to the Steno-Typist, typed by him, corrected by me and pronounced by me in the open court on the 11th day of March 2026.

Judicial Magistrate,
Avinashi.