

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

On Wednesday, the 11th day of March 2026

E.Crl.M.P.No.254/2026

in

Cr.No.55/2026

Sanjai,
S/o. Muthukumar

....Accused

/Vs/

State rep by,
The Inspector of Police,
Thirumuruganpoondi PS,
Crime No.55/2026
u/s 331(3), 331(4), 305(a) of BNS

....Complainant

and

E.Crl.M.P.No.278/2026

Dharani,
W/o. Ranjithkumar

.... Obstructor

Vs

1. Sanjai
S/o. Muthukumar

.... Accused

2. State represented by
the Inspector of Police,
Thirumuruganpoondi Police Station,
(in Cr. No.55/2026)

.... Complainant

This petition has come up on **11.03.2026** for final hearing before me
Thiru. **U.S. Yedhindrn**, the Learned Counsel appearing for the accused and
Thiru.P. Karthikeyan, the Learned Counsel appearing as a obstructor against the
accused and the Learned Assistant Public Prosecutor appearing for the Respondent

and upon hearing both side and upon perusal of the records, this court delivers the following.

COMMON ORDER

These applications are filed in **E.Crl.M.P.No.254/2026** for bail and **E.Crl.M.P.No.278/2026** for objection to the bail petition.

2. **The Gist of the Petition in E.Crl.M.P.No. 254/2026:** The petitioner/accused submits that the respondent police had registered the above case for the alleged offences under section 331(3), 331(4), 305(a) of BNS and the petitioner is an innocent person and not committed any offence as alleged by the prosecution. The petitioner submits that he is law-abiding citizen and god fearing person. The petitioner hails from the respectable family. The petitioner/accused is ready to furnish sufficient sureties to the satisfaction of the court and he prays for the enlargement of bail.

3. **Objection filed by the prosecution in E.Crl.M.P.No.254/2026 :**

The prosecution submitted that the investigation is still pending. The petitioner is the relative of the defacto complainant and hence strongly opposed for granting bail to the petitioner. If the petitioner is released on bail, he may indulge in doing similar type of offences and he may abscond and tamper the witnesses.

4. **The Gist of the Petition in E.Crl.M.P.No. 278/2026:** In this case, the Petitioner/Defacto complainant Dharani had filed an intervening petition in which she had stated that First Information Report was registered on 30.01.2026 by the

Inspector of Police of Thirumuruganpoondi Police Station against the accused under Sections 331(3), 331(4), and 305(a) BNS, and he is presently in judicial custody. It is further stated that the accused also involved in a similar offence in Crime No. 40/2026. The accused, Sanjay is her relative. As she was residing in Bengaluru, the accused Sanjai allegedly made a duplicate key and entered into her house several times and stolen the property of 25½ sovereigns of gold jewellery including cash amount Rs.3,24,000. Based on the same, she lodged a complaint at the police station, the accused is currently in judicial custody. The stolen articles have not yet been recovered. The petitioner has also stated that if the bail is granted to the accused, there will be no guarantee for her life.

5. **Objection filed by the accused in E.CrI.M.P.No.278/2026 :**

The petition filed by the defacto complaint is false, frivolous, vexatious and devoid of merits and the same is not maintainable in law and facts. The FIR has been lodged with delay and with an ulterior motive to harass the respondent by raising exaggerated allegations and by attempting to implicate the respondent and his family members. During the time of investigation, the police have already recovered the alleged money and jewels on 05.02.2026, and therefore the continued incarceration of the respondent is not necessary for the purpose of investigation. The petitioner has stated that the alleged occurrence took place on 21.01.2026, whereas the property which stands in the name of family member of the accused was purchased on 25.08.2025, prior to the date of occurrence. Further, the petitioner stated that the

complaint was lodged on 30.01.2026 and the respondent submitted that he is a young chap and college going student and so continued detention would seriously affect his education.

6. Heard both sides. Records perused carefully. On the materials, it is seen that the accused is remanded for the alleged offences u/s 331(3), 331(4), 305(a) of BNS and he is in judicial custody for the past **21** days. On perusal of records, it is found that the accused is a 2nd time offender and obstructor to the bail petition has filed the account statements of the accused which shows that the accused had transacted the amount for Lakhs. Hence, if he is released on bail, he may tamper the witnesses and may indulge in doing the same kind of offences. Hence, in the interest of justice, this court is not inclined to grant bail. Considering the facts and gravity of offences, this Court is inclined to allow the application in **E.Crl.M.P.No.278/2026** and not inclined to allow the application in **E.Crl.M.P.No.254/2025**.

In the result, the intervening petition in E.Crl.M.P.No.278//2026 is allowed and the bail petition in E.Crl.M.P.No.254/2026 is dismissed in the interest of justice.

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.