

In the court of the Principal Sessions Judge, Tiruppur

Present: Thiru. N.Gunasekaran, M.B.A., B.L.,
Principal Sessions Judge, Tiruppur.

Thursday, the 02nd day of July, 2026

Cr.M.P. No.1278 / 2026 (CNR No.TNTI18 002789 2026)

Athibanbabu, aged 30 years

S/o.Ganesan

... Petitioner / Accused

.Vs.

State of Tamil Nadu Represented by

The Inspector of Police,

Tiruppur South Police Station,

Tiruppur City.

(Cr.No.217/2026)

... Respondent/Complainant

This petition came for hearing on this day in the presence of Thiru. M.Arunkumar, Counsel for the petitioner and upon hearing the petitioner's side and upon perusing the records including the objection in writing submitted by the Respondent police, this Court delivers the following:

ORDER

The Petitioner has filed the application U/s.483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking bail for the offence u/s.309(6), 311 and 324(4) of BNS in Cr.No.217/2026 of the respondent police.

First Information Report is pending against the petitioner u/s.309(6), 311, 324(4), 61(2) of BNS. The alleged date of occurrence is on 07.05.2026 and First Information Report was registered on 08.05.2026 and the petitioner was arrested and remanded to judicial custody on 14.05.2026 and he is in incarceration for **past 56 days**.

Dated:02.07.2026

Principal Sessions Judge, Tiruppur

The learned Counsel appearing for the petitioner would contend that the petitioner is innocent and has not committed any offence as alleged by the prosecution.

In contra, the respondent police would raise objection through a report by stating that the petitioner along with co-accused alleged to have trespassed into M/s. Rithvik Finance of the defacto complainant and robbed a sum of Rs.40,00,000/- by causing life threat to the employees therein with an aid of knife and hence, sought to dismiss the application.

Heard. Records perused. The alleged date of occurrence is on 07.05.2026 and First Information Report was registered on 08.05.2026 and the petitioner was arrested and remanded to judicial custody on 14.05.2026 and he is in incarceration for **past 56 days**. The petitioner is arrayed as A4 in the case and as per the report of concern police, yet another previous case is pending against the petitioner and admittedly, the co accused viz. Rajasekar / A9 was enlarged on bail by the Hon'ble High Court of Madras vide order in Crl.O.P.No.14779/2026; dated: 11.06.2026 and co-accused viz. Sri Vigneshwaran, Sakthieshwaran and Pandian were enlarged on bail by this Court vide common order in Crl.M.P.Nos.1160/2026, 1163/2026 and 1168/2026; dated: 15.06.2026, respectively and also the co-accused viz. Suresh and Jabin were enlarged on bail by this court vide order in Crl.M.P.No.1095/2026, dated:16.06.2026. Major portion of the investigation might have been completed by considering the date of occurrence and the First Information Report.

By considering the facts and circumstances, nature and gravity of offence, change in the circumstances and enlargement of the co accused on

bail by the Hon'ble High Court and this Court, this court **is inclined** to enlarge the petitioner on bail on following condition even though the petitioner is concerned with yet another previous case on considering the Judgment of Hon'ble Supreme Court of India in Criminal Appeal in C.A.No.152/2020, dated 24.01.2020 in **Prabhakar Tewari Vs. State of Uttar Pradesh** and another.

In the result, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Tiruppur** and on further condition that;

1) the petitioner should appear and sign before the respondent police daily at 10.00 a.m. until further orders.

2) the petitioner shall not tamper the evidence or witness either during investigation or trial,

3) the petitioner shall not abscond either during investigation or trial,

4) on breach of any of the aforesaid conditions, the learned Magistrate/Trial court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by it as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560], and

5) If the accused thereafter abscond, a fresh FIR can be registered under section 269 BNS.

Accordingly, the petition is **allowed**.

Dictated to the steno-typist, typed by her, corrected and pronounced by me and uploaded in Case Information System on this 02nd day of July, 2026.

Principal Sessions Judge,
Tiruppur.

Copy to:

1. The Judicial Magistrate No.II, Tiruppur
2. The Public Prosecutor, Tiruppur.
3. The Inspector of Police, South Police Station, Tiruppur
4. Counsel for the Petitioner.
5. The Secretary, District Legal Services Authority, Tiruppur through e-mail.
6. The Superintendent, Central Prison, Coimbatore (through e-mail)
(As per the Circular of Hon'ble High Court of Madras in R.O.C.No.16380-A/2025/F1, P.Dis.No.53/2025, dated:25.04.2025).