

IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT TIRUVALLUR

Present: Dr. J. JULIET PUSHPA, Ph.D. (Law)

Principal District and Sessions Judge, Tiruvallur

Friday, the 6th day of March, 2026

CrI.M.P.No:750/2026

Suresh, S/o Kannappan,

...Petitioner/Accused

//Versus//

State Rep. by the Inspector of Police,
Vellavedu Police station
(Crime No: 28/2026)

.....Respondent/Complainant

Petition dated: 19.02.2026 u/s 482 of BNSS praying to grant anticipatory bail to the petitioner

This petition coming on this day for hearing before me having the petition filed by the petitioners Counsel M/s A. Thirumalai, S. Vincsent, K. Raja, D. Jothi, R. Vetrivel, M. Sharmila, the respondent police through the Public Prosecutor, and upon hearing the arguments of both sides, perusing the reply of the Public Prosecutor for the State/Respondent and perusing the records and material and hearing both sides, this court made the following:-

ORDER

Heard arguments of both side. Records perused. Petition filed u/s 482 of BNSS seeking to grant anticipatory bail to the petitioner who apprehends arrest in in Crime No. 28/2026 on the file of Vellavedu police station registered for the offence u/s 296(b), 308(2), 351(3) of BNS.

The learned counsel for the petitioner argued that, petitioner is innocent, he has been falsely implicated only for statistical purpose, the petitioner was not at all present in the place of occurrence, only since he is having some previous cases, he has been falsely implicated in this case, property already recovered, all the offences are triable by Judicial Magistrate,co-accused was already granted bail by the Hon'ble High Court, Madras in CrI.O.P.No.4102/2026 dated18.02.2026, and another co-accused was released by the Judicial magistrate No.II, Poonamallee in CMP No.235/2026 dated 09.02.2026, only for preventive detention , he has been implicated in this case, petitioner is ready to cooperate for investigation and will abide by any condition, therefore prayed for granting the bail.

Notice given to concerned police and reply received. The learned Public prosecutor argued that on 23.01.2026 at about 9 AM , when the defacto complainant was in his old iron scrap shop near Kolappancherry Government school, at 8 AM, the petitioner and other two accused came and demanded money, for which when he refused the petitioner assaulted him with knife and robbed Rs.1500/- at knife point and escaped, based on the complaint, FIR was registered, the other accused were arrested on 23.01.2026 , the petitioner is having 8 previous cases and the investigation is pending.

The petitioner states in this petition that there is no similar bail petition is pending before any other Court including Hon'ble High Court, Madras and the respondent has also not stated as to pending of any bail petition before Hon'ble High Court, Madras in this case. Hence, this Court considers that there is no impediment to entertain this petition and pass orders on merits.

As per the reply of the learned Public Prosecutor, investigation is still pending and the petitioner is having criminal antecedents with 8 previous case. There are every likelihood if released on bail, he would commit similar or other offences.

Therefore, on considering

- (i) grave nature of offence
- (ii) investigation is still pending
- (iii) serious accusation of offence as against the petitioner u/s 308(2) BNS
- (iv) that the representation of the learned Public Prosecutor that since the petitioner is having 8 previous cases, if he is granted anticipatory bail and then absconds, investigation in all the cases against him would also be affected,
- (v) the petitioner who seeks anticipatory bail cannot claim parity with the arrested and released accused.
- (vi) There is no change in circumstances,
- (v) and also considering other facts and circumstances,
this Court is not inclined to grant anticipatory bail to the petitioner.

In the result, this petition is dismissed.

Dictated to the Shorthand Writer and Pronounced by me in Open Court on this 6th day of March , 2026

**Principal District and Sessions Judge,
Tiruvallur**

Copy to

The Petitioner's Advocate M/s A. Thirumalai
Thiru. S.Murthy, Public Prosecutor for the State
The Judicial Magistrate No.II, Poonamallee
The Inspector of police, Vellavedu police Station