

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:818/2026

Pavan Kumar, S/o Amarchand

....Petitioner/Accused

//Versus//

State Rep. by the Inspector of Police,

Ambattur Police station

(Crime No: 720/2022)

.....Respondent/Complainant

Petition dated : 24.02.2026 u/s 483 of B.N.S.S., praying to enlarge the petitioner on bail

This petition coming on this day for hearing before me having the petition filed by the petitioner Counsel M/s S. Gopinath, P. Dilipkumar, Mansee Chaurasia, and the respondent police through the Public Prosecutor and 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 483 of BNSS seeking to grant enlarge the petitioner on bail who was remanded on 15.02.2026 , in Crime No.720/2022 of Ambattur police station for the offence u/s 380, 414, 34 IPC. The bail petition u/s 480 of BNSS was dismissed by the Judicial Magistrate, Ambattur in CMP No.195/2026 dated 20.02.2026.

The learned counsel for the petitioner argued that, petitioner is innocent, he has been falsely implicated in this case. He is an unnamed accused in the FIR. On 15.02.2026, the respondent police came to the house of the petitioner and arrested by adding section 414 r/w 34 IPC without any prima facie. The petitioner is working in a private firm as Manager for the past 5 years, his father owning a pawn broker shop with licence No.6 Sri Pavan Bankers for the past 15 years. On 14.02.2026, the respondent police came to the shop and asked about transaction of pledging gold by Manula, her husband Thiagu and asked the petitioner's father Amar Chand to show the bills and based on that all the accounts the respondent police illegally seized the petitioner's father's accounts and bills without due process. When petitioner's father questioned, only thereafter they informed this case, and called his father for enquiry. He had not received any stolen property as all the accounts were shown. The accused A1 and his wife pledged gold jewel on various dates. The respondent police asked the petitioner's father to settle 80 grams of gold, despite all accounts have been settled. But, the respondent police threatened, and on 15.02.2026, the police came and asked his father where the petitioner and took custody of the petitioner, with no other option, the petitioner's father filed complaint against the Inspector of Police and Assistant Commissioner of Police with acknowledgement No. TN20260215002856 and submitted written complaint to Deputy Commissioner of Police. Already, the petitioner's father obtained anticipatory bail from the Hon'ble High Court, Madras in CrI.O.P.No.5182/2026 dated 02.03.2026. The respondent did not follow the guidelines of Hon'ble Supreme Court in 2014 (8) SCC 273 (*Arnesh Kumar Vs State of Bihar*) and 2022(10) SCC 51(*Satender Kumar Antil Vs. CBI*). Properties were already seized by the police. There is no prima facie case as against the petitioner, he is in custody for the past 20 days, 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 defacto complainant lodged a complaint on 24.10.2022 stating that he is residing at Lakshmi Enclave, OV Laagesan Nagar, Ambattur and on 25.09.2022 at 1.10 PM, she he verified the jewels found that gold jewels from his house found missing totally 13.5 sovereign based on the complaint, FIR was registered u/s 380 of IPC , and during the course of investigation it was found that the petitioner and his father, who are running a pawn shop is in the habit of received theft gold knowing well that the accused Thiagu and his wife were committing theft and the gold jewels were pledged with the petitioners, as such, in this case, they received the theft gold. Notice u/s 35(3) of BNS was issued to the petitioner on 15.02.2026, he appeared before the police and admitted the offence, hence, the petitioner was arrested on 15.02.2026, section as altered into 380, 414 r/w 34 IPC, and the investigation is pending.

The learned counsel for the petitioner submitted that the petitioner is no way connected and he is not the owner of the pawn shop and only his father is the owner, who has obtained anticipatory bail from the Hon'ble High Court, Madras. On the contrary, the prosecution alleges that the petitioner admitted the offence during the enquiry on 15.02.2026. As far as the contention of the counsel for the petitioner is concerned, only the investigation will reveal the same, which is in nascent stage.

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 previous case.

Therefore, on considering

- (i) grave nature of offence
 - (ii) investigation is pending
 - (iii) premature stage, as the first remand period itself is not completed,
 - (iv) serious accusation of offence as against the petitioner u/s 380 BNS
 - (v) huge value of the property allegedly involved,
 - (v) and also considering other facts and circumstances,
- this Court is not inclined to grant 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 S. Gopinath
Thiru. S.Murthy , Public Prosecutor for the State
The Judicial Magistrate Ambattur
The Inspector of police, Ambattur Police Station
The Superintendent, Central Prison-II, Puzhal, Chennai