

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 06th day of March, 2026

CrI.M.P.No:814 /2026

Siraj Khan S/o Gouse Khan,

.....Petitioner/Accused

//Versus//

State Rep. by the Inspector of Police,

Poonamallee Police Station,

(Crime No:31/2026)

.....Respondent/Complainant

Petition dated:24.02.2026 u/s.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.R.Rajaprakash, J.Udhayakumar, Thirumalai, P.Chandrasekar, G.Aruldass 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 release the petitioner who was remanded on 13.01.2026 in Crime No.31/2026 on the file of Poonamallee police station registered for the offence u/s 126(2), 296(b), 115(2), 309(4), 311, 351(3) of BNS.

The learned counsel for the petitioner argued that, petitioner is innocent, he has been falsely implicated only for statistical purpose only due to some previous cases, the alleged date of occurrence, is on 13.01.2026 at 07.45 PM, when the deface-complainant was driving auto rickshaw, at the time of the petitioner and co-accused way laid the deface-complainant's auto, petitioneener and co-accused assaulted the deface-complainant and robbed Rs.1800/- from deface-complainant's shirt pocket, he is in custody for the past 53 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 on 13.01.2026 at about 07.45 Hrs, when the defacto complainant was driving auto, accused waylaid and demanded money , when he refused, they assaulted him with hands and robbed Rs.1800/- at knife point , hurled stones over the public and escaped, based on the complaint, FIR was registered , the petitioner was arrested on 13.01.2026 and investigation is pending. No previous case as against the petitioner.

As per the representation of the learned Public Prosecutor, the petitioner is a local resident, It appears that substantial part of investigation is completed as the petitioner is in custody for 53 days,

Therefore, on considering

1. nature of offence,
2. long duration of custody of the petitioner for the past 53 days,
3. substantial part of investigation would be completed,
4. that as per the representation of the learned Public Prosecutor, it appears that the petitioner is local resident,
5. the representation of the learned counsel for the petitioner that the petitioner being local resident will cooperate for investigation and will abide by any condition,
6. and also considering other facts and circumstances,

this Court is inclined to grant bail to the petitioner on imposing conditions.

In the result, bail is granted to the Petitioner on execution of a bond for a sum of Rs.10,000/- with two sureties for the like-sum each to the satisfaction of Judicial Magistrate No.II, Poonamallee and on condition that the petitioner to sign before the respondent police daily by 10.00 a.m for 30 days. The sureties shall affix their photographs and shall produce Voter Card or Aadhar Card or Bank Pass Book in proof of their identification. Any violation of the conditions, the Judicial Magistrate is entitled to take action as per the Judgment of the Supreme Court in P.K. Shaji Vs. State of Kerala (AIR 2005 SCW 5560). If the petitioner abscond, a fresh FIR can be registered under Section 269 of B.N.S.

Dictated to the Shorthand Writer and Pronounced by me in Open Court on this 06th day of March 2026

**Principal District and Sessions Judge,
Tiruvallur**

Copy to:-

The Petitioner's Advocate M/s.R.Rajaprakash,
Thiru.S.Murthy, Public Prosecutor for the State,
The Judicial Magistrate No.II, Poonamallee,
The Inspector of Police, Poonamallee Police Station.
The Superintendent, Central Prison-II, Puzhal, Chennai.