

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:809/2026

Viji, S/o Mani

....Petitioner/Accused

//Versus//

State Rep. by the Inspector of Police,

R.K.Pet Police station

(Crime No: 414/2025)

.....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. Munivelu, S.Suresh, 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 10.02.2026, in Crime No.414/2025 of R.K.pet police station for the offence u/s 25(1B)(a), 27(1) of Arms Act.

The learned counsel for the petitioner argued that he has not committed any offence as alleged by the respondent police, the petitioner belongs to scheduled tribe and he is a bird hunter community, he had no intention to commit any offence, he has no bad antecedents, this is the 3rd bail petition, he is ready to cooperate for investigation and enquiry, he is in custody for 25 days, he is ready to abide by any condition, therefore prayed for granting the bail to the petitioner.

Notice given to concerned police and reply received. The learned Public prosecutor argued that on 31.12.2023, at about 3.00 PM, when the respondent police was on surveillance near V. Puthur Village Ellaiyamman temple, the petitioner was found in possession of country made rifle in his possession without any proper licence hence, which was used by him for killing animals and hunting, based on the complaint, FIR was registered he was arrested on 10.02.2026, and 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, petitioner is permanent resident. It appears that substantial part of investigation is completed as the petitioner is in judicial custody for the past 25 days.

Therefore, on considering

- (i) nature of offence,
- (ii) long duration of custody of the petitioner for the 25 days

- (iii) it appears that substantial part of investigation is completed
- (iv) that the property has already been seized,
- (v) that as per the representation of the learned Public Prosecutor, it appears that the petitioner is a permanent resident and first offender
- (vi) 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,
- (vii) 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 District Munsif cum Judicial Magistrate , Pallipattu 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 SCR 5560). If the petitioner absconds, a fresh FIR can be registered under Section 269 BNS.

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. Munivelu
Thiru. S.Murthy , Public Prosecutor for the State
The District Munsif cum Judicial Magistrate Pallipattu
The Inspector of police, R.K.Pet police Station
The Superintendent, Central Prison-II, Puzhal, Chennai