

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

Tuesday, the 10th day of March , 2026

CrL.M.P.No:825/2026

1. Ajith @ Alla Kunju, So Chitti Babu
2. Thennarasu @ Charles, S/o Elumalai

...Petitioners/Accused

//Versus//

State Rep. by the Inspector of Police,
Pennalurpet Police station
(Crime No: 25/2026)

.....Respondent/Complainant

Petition dated: 25.02.2026 u/s 483 of BNSS praying to enlarge the petitioner on bail

This petition coming on this day for hearing before me having the petition filed by the petitioners Counsel M/s K. Aswin Balaji, 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 483 of BNSS seeking to release the petitioners who were remanded on 07.02.2026 in Crime No. 25/2026 on the file of Pennalurpet police station registered for the offence u/s 109, 126(2), 191(2), 191(3), 296(b), 351(3) of BNS

The learned counsel for the petitioners argued that, petitioners are innocents, they have been falsely implicated, only due to due to previous enmity between A1 and the defacto complainant , the occurrence happened, the petitioners were not at all present in the place of occurrence, petitioners have nothing to do with the alleged occurrence, even the petitioners have voluntarily surrendered before the police station, even in the police station, the A1's leg was broken, the previous cases as against the petitioners were also registered after the arrest in this case, the injured person is already discharged, petitioners have no bad antecedents, they are in custody for the past 32 days, petitioners are 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 06.02.2026 at about 10.30 AM, when the defacto complainant's brother Anbarasu was going to Pullarabakkam Police station for complying the condition of signing and when he was returning to his house and coming near Movur Arch in his two wheeler, the petitioners along with other accused due to previous enmity waylaid the defacto complainant's brother and assaulted him with knife and escaped, the victim sustained grievous injuries, admitted in hospital and still in the hospital , the 1st petition is having 6 previous cases and he has been detained under Act 14 of 1982 as per the detention order No. 7/2026 dated 03.03.2026 and the 2nd petitioner is having one previous case and the investigation is pending.

The learned counsel for the petitioners filed memo stating that he is withdrawing this petition in respect of the 1st petitioner (Ajith).

The petitioners state 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, 2nd petitioner is a local resident. It appears that substantial part of investigation is completed as the 2nd petitioner is in judicial custody for the past 32 days.

Therefore, on considering

- (i) Nature of offence
 - (ii) Long duration of custody of the 2nd petitioner for the 32 days
 - (iii) it appears that substantial part of investigation is completed,
 - (iv) that as per the representation of the learned Public Prosecutor, it appears that the 2nd petitioner is a local resident
 - (v) the representation of the learned counsel for the petitioner that the 2nd petitioner being local resident will cooperate for investigation and will abide by any condition,
 - (vi) considering other facts and circumstances,
- this Court is inclined to grant bail to the 2nd petitioner on imposing conditions.

In the result, bail is granted to the 2nd 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, Uthukkottai and on condition that the 2nd petitioner to sign before the respondent police daily at 10.00 AM 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 2nd petitioner absconds, a fresh FIR can be registered under Section 269 BNS.

This petition in respect of the 1st petitioner is dismissed as withdrawn

Dictated to the Shorthand Writer and Pronounced by me in Open Court on this 10th day of March, 2026

**Principal District and Sessions Judge,
Tiruvallur**

Copy to

The Petitioner's Advocate M/s K. Aswin Balaji,
Thiru. S.Murthy, Public Prosecutor for the State
The District Munsif cum Judicial Magistrate Uthukkottai
The Inspector of police, Pennalurpet police Station
The Superintendent, Central Prison-II, Puzhal, Chennai