

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

Thursday, the 12th day of March , 2026

CrI.M.P.No: 899/2026

K. Balasubramaniyan, S/o Kanagaraj

....Petitioner/Accused

//Versus//

State Rep. by the Inspector of Police,
Madhuravoyal Police station
(Crime No: 123/2025)

.....Respondent/Complainant

Petition dated: 02.03.2026 u/s 482 of B.N.S.S., praying to grant anticipatory bail to the petitioner

This petition coming on this day for hearing before me having the petition filed by the petitioner Counsel M/s K. Kanagaraj, A. Chitra, Charles, S. Venkat 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 482 of BNSS praying to grant anticipatory bail to the petitioner who apprehends arrest in Crime No.123/2025 on the file of Madhuravoyal Police station for the offence u/s 303(2) of BNS.

The learned counsel for the petitioner argued that, the petitioner is innocent and he has not committed any offence as alleged by the respondent police, only since he is a friend of A1, who was already arrested and based on the confession of A1, the petitioner who is arrayed as A2 has been falsely implicated, the property of the vehicle has already been recovered, the arrested accused has already been released on bail by the Trial Court, in CMP No.92/2026 dated 21.01.2026, the offence is triable by Judicial Magistrate, the petitioner has no bad antecedents, this is the 2nd bail petition, petitioner is ready to cooperate for investigation and will abide by any condition, therefore prayed for granting the anticipatory bail.

Notice given to concerned police and reply received. The learned Public prosecutor argued that the defacto complainant lodged a complaint that he is the owner of the TATA Magic passenger vehicle bearing Reg.No. TN22CA7709, which was on hire to one Jaffer, and on 27.01.2025 at about 8.30 PM, when the said driver parked the vehicle near Porur Sheick Maniyam Masjid, and went to the house, and on 28.01.2025 in the morning found that his vehicle was found missing, thus based on the complaint, FIR was registered, A1 was arrested and released on bail, property recovered, 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, the investigation is still pending and the alleged offence is serious in nature

Therefore, on considering

- (i) grave nature of offence
- (ii) investigation is pending
- (i) value of the property allegedly involved,
- (ii) serious accusation of offence as against the petitioner u/s 303(2) of BNS.,
- (iii) the petitioner who seeks anticipatory bail cannot claim parity with the arrested and released accused,
- (iv) there is no change in circumstances, as this is the 2nd bail petition
- (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 12th day of March, 2026

**Principal District and Sessions Judge,
Tiruvallur**

Copy to

The Petitioner's Advocate M/s K. Kanagaraj
Thiru. S.Murthy , Public Prosecutor for the State
The Judicial Magistrate, No.II, Poonamallee
The Inspector of police, Madhuravoyal Police station