

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:919/2026

Gopi, S/o Gnanasekar

...Petitioner/Accused

//Versus//

State Rep. by the Inspector of Police,
Pattabiram Police station
(Crime No: 46/2026)

.....Respondent/Complainant

Petition dated: 03.03.2026 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. Elangovan, S. Sundar Kumar, 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 petitioner who was remanded on 18.02.2026 in Crime No. 46/2026 on the file of Pattabiram police station registered for the offence u/s 126(2), 296(b), 109, 351(3) of BNS.

The learned counsel for the petitioner argued that, petitioner is innocent, he has been falsely implicated only due to the previous enmity and wordy quarrel between the defacto complainant and the petitioners over family dispute, a false complaint was lodged, only based on the confession of co-accused the petitioner has been falsely implicated, this is case in counter to Crime No.45/2026 was registered, the injured person is already is charged, the co-accused was granted bail by this Court in CMP no. 638/2026 dated 02.03.2026, this is the case in counter, the petitioner has been implicated petitioner has no bad antecedents, he is in custody for the past 17 days, this is the 2nd bail petition, 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 21.01.2026 when the defacto complainant was in his house due to previous enmity, the petitioner trespassed into the house, abused the defacto complainant and assaulted him with wooden log, the defacto complainant sustained injuries, admitted in hospital and later discharged, based on the complaint, FIR was registered, the petitioner was arrested on 18.02.2026, the petitioner is having two previous cases 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 petitioner is having criminal antecedents with two previous cases.

Therefore, on considering

- (i) grave nature of offence
 - (ii) Investigation is still pending
 - (iii) Serious accusation of offence as against the petitioner u/s 109 of BNS
 - (iv) That the representation of the learned Public Prosecutor that since the petitioner is having two previous cases, if he is released and then absconds, investigation in both the cases against him would also be affected,
 - (v) There is no change in circumstances,
 - (vi) and also considering other facts and circumstances,
- this Court is not inclined to grant bail to the petitioner at this stage.

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 K. Elangovan
Thiru. S.Murthy, Public Prosecutor for the State
The Judicial Magistrate No.II, Tiruvallur
The Inspector of police, Pattairam police Station
The Superintendent, Central Prison-II, Puzhal, Chennai