

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 06<sup>th</sup> day of March, 2026

**CrI.M.P.No:908/2026**

Mohan S/o Ellaiyan,

.....Petitioner/Accused

//Versus//

State Rep. by the Inspector of Police,

Periyapalayam Police Station,

(Crime No:15/2026)

.....Respondent/Complainant

**Petition dated:03.02.2026 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.D.Somasundaram, R.Gunaseelan, S.Sathish, D.Venkatesan 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 17.01.2026 in Crime No. 15/2026 on the file of Periyapalayam police station registered for the offence u/s 296(b), 126(2), 309(6) of BNS. The bail petition u/s 480 of BNSS was dismissed by the District Munsif cum Judicial Magistrate, Uthukkottai in CMP No.18/2026 dated 29.01.2026.

The learned counsel for the petitioner argued that, petitioner is innocent and he has not committed any offence, only on suspicion, co-accused released on bail by this court CrI.M.P.No.550/2026 dt 17.02.2026, he has been arrested, the property already recovered, petitioner has no bad antecedents, he is in custody for the past 49 days, he 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 16.01.2026 at about 6.30 PM, when the defacto complainant was waiting in Ernakuppam bus stop, the petitioner waylaid him and demanded money, and snatched two mobile phones at knife point and escaped, based on the complaint, FIR was registered, the petitioner was arrested on 17.01.2026, property recovered and the investigation is pending. No previous case as against the petitioner.

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 a local resident. Property was already recovered, It appears substantial part of investigation is completed as the petitioner is in judicial custody for the past 49 days.

Therefore, on considering

- (i) Nature of offence
- (ii) duration of custody of the petitioner for the 49 days
- (iii) property already recovered
- (iv) it appears that substantial part of investigation is completed,
- (v) that as per the representation of the learned Public Prosecutor, it appears that the petitioner is a local resident and permanent residence,
- (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) on 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, Uthukkottai and on condition that the petitioner to sign before the respondent police daily twice at 10.00 AM and 5.30 PM 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 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 06th day of March 2026

**Principal District and Sessions Judge,  
Tiruvallur**

**Copy to:-**

The Petitioner's Advocate M/s.D.Somasundaram,  
Thiru.S.Murthy, Public Prosecutor for the State,  
The District Munsif Cum Judicial Magistrate, Uthukottai,  
The Inspector of Police, Periyapalayam Police Station.  
The Superintendent, Sub-Jail, Tiruvallur.