

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:943/2026

Rajesh, S/o Ganapathy

...Petitioner/Accused

//Versus//

State Rep. by the Inspector of Police,
Poonamallee Police station
(Crime No: 17/2026)

.....Respondent/Complainant

Petition dated: 04.03.2026 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 S. Senthilkumar, V. Sivabalan, 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 09.01.2026 in Crime No. 17/2026 on the file of Poonamallee police station registered for the offence u/s 126(2), 296(b), 311, 351(3) of BNS.

The learned counsel for the petitioner argued that, petitioner is innocent, he has been falsely implicated only for statistical purpose, the petitioner was not at all present in the place of occurrence, only since he is having some previous cases, only for prevention detention , he has been falsely implicated in this case, property already recovered, he is in custody for the past 63 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 08.01.2026 at about 5.00 PM, when the defacto complainant was coming near Parivakkam Lakeside Pon Nagar, the petitioner along waylaid and demanded money, when he refused, they assaulted him with hands and robbed Rs.500/- at knife point , hurled stones over the public and escaped, based on the complaint, FIR was registered uthe petitioner was arrested on 09.01.2026, he is having 22 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, investigation is still pending and the petitioner is having criminal antecedents with 22 previous cases. There are every likelihood that if granted bail and released, he would commit similar or other offences.

Therefore, on considering

- (i) grave nature of offence
- (ii) investigation is still pending
- (iii) serious accusation of offence as against the petitioner u/s 311 BNS
- (iv) that the representation of the learned Public Prosecutor that since the petitioner is having 22 previous cases, if he is released and then absconds, investigation in all the cases against him would also be affected,
- (v) there is no change in circumstances,
- (v) and also considering other facts and circumstances,
this Court is not inclined to grant 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 S. Senthilkumar
Thiru. S.Murthy, Public Prosecutor for the State
The Judicial Magistrate No.II, Poonamallee
The Inspector of police, Poonamallee police Station
The Superintendent, Special Sub Jail, Poonamallee