

IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT TIRUVALLUR

Present: Tmt. C. UMAMAHESHWARI, M.L.,
Principal District and Sessions Judge, Tiruvallur (i/c)

Monday, the 16th day of March , 2026

CrI.M.P.No:951/2026

Ajay, S/o Srinivasan,

...Petitioner/Accused

//Versus//

State Rep. by the Inspector of Police,
Gummidipoondi Police station
(Crime No: 293/2025)

.....Respondent/Complainant

Petition dated: 05.03.2026 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 A. Thamarakannan, V. Karthick, R. Keerthivasan, R. Tamilarasan, 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 31.12.2025 in Crime No.293/2025 on the file of Gummidipoondi police station registered for the offence u/s 7(1)(A) of CLA Act, r/w 296(b), 132 of BNS r/w 25(1-A) of Arms Act r/w 24(1) of COTP Act.

The learned counsel for the petitioners argued that, petitioners are innocent he has been falsely implicated only for statistical purpose, the petitioner was not at all present in the place of occurrence, he has been falsely implicated in this case, all the contrabands were already seized, co-accused was already granted bail by this Court in CMP No.543/2025 dated 27.02.2026, he is in custody for the past 76 days, 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 31.12.2025, based on the discreet information, when the Sub Inspector of Police, respondent police station was on surveillance near Gummidipoondi Railway station, the petitioner along with other accused was found in possession banned tobacco products worth about Rs.1000/- and when the police tried to arrest them, they abused the defacto complainant, threatened with deadly weapons, hence, he was arrested on 31.12.2025, contrabands were seized, and the investigation is still 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, petitioner is a local resident. Contrabands were already seized. There is no injury to anyone during the alleged occurrence. All the witnesses are police witnesses. It appears that substantial part of investigation is completed as the petitioner is in judicial custody for the past 76 days.

Therefore, on considering

- (i) Nature of offence
- (ii) Long duration of custody of the petitioner for the 76 days
- (iii) Contrabands were already seized,
- (iv) it appears that substantial part of investigation is completed,
- (v) co-accused was already granted bail by this Court.
- (vi) that as per the representation of the learned Public Prosecutor, it appears that the petitioner is a local resident
- (vii) 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,
- (viii) considering his medical and health condition and 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/- each with two sureties for the like-sum each to the satisfaction of District Munsif cum Judicial Magistrate Court, Gummidipoondi and on condition that the 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 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 16th day of March, 2026

Sd./- C. Umamaheshwari
Principal District and Sessions Judge,
Tiruvallur(i/c)

//t.c.f.b.o.//

Sherishtadar

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