

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

Wednesday, the 11th day of March , 2026

CrI.M.P.No:964/2026

Ajay @ Vellai Ajay, S/o Prathap

...Petitioner/Accused

//Versus//

State Rep. by the Inspector of Police,
Valasaravakkam Police station
(Crime No: 55/2026)

.....Respondent/Complainant

Petition dated: 06.03.2026 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 V. Nirmalraj, J. Manikandan, M. Suresh, 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 31.01.2026 in Crime No. 55/2026 on the file of Valasaravakkam police station registered for the offence u/s 278, 123, 132 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, nothing was seized from the petitioner, all the contrabands were already seized, there is no harm or injury to anyone in this case, hence, section 123 of BNS is not attracted, he is in custody for the past 40 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 31.01.2026 at about 10 AM , based on the discreet information when the respondent police was on surveillance near No.29, Janaki Nagar Prakasam Salai, Valasaravakkam the petitioner along with other accused was found in possession of banned tapentadol tablets 100 Nos. each weighing 100 mg, which was to be sold on the prescription of medical officer, but without any valid licence, the petitioner was in possession of the above said tablets, hence he was arrested, FIR was registered, the petitioner was arrested on 31.01.2026, the petitioner is having 5 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 pending in preliminary stage and the alleged offence is serious in nature. Also, the petitioner is having criminal antecedents with 5 previous cases.

Therefore, on considering

- (i) grave nature of offence
 - (ii) investigation is pending
 - (iii) premature stage,
 - (iv) serious accusation of offence as against the petitioner u/s 123 BNS
 - (v) that the representation of the learned Public Prosecutor that since the petitioner is having 5 previous cases, if he is released and then absconds, investigation in all the cases against him would also be affected,
 - (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 11th day of March ,
2026

**Principal District and Sessions Judge,
Tiruvallur**

Copy to

The Petitioner's Advocate M/s V. Nirmalraj
Thiru. S.Murthy, Public Prosecutor for the State
The Judicial Magistrate No.I, Poonamallee
The Inspector of police, Valasaravakkam police Station
The Superintendent, Central Prison-II, Puzhal, Chennai