

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:979/2026

1. Bava, S/o Elumalai
2. Baran, S/o Elumalai
3. Rajkumar, S/o Elumalai

...Petitioners/Accused

//Versus//

State Rep. by the Inspector of Police,
Ramapuram Police station
(Crime No: 97/2026)

.....Respondent/Complainant

Petition dated: 07.03.2026 u/s 483 of BNSS praying to enlarge the petitioners on bail

This petition coming on this day for hearing before me having the petition filed by the petitioners Counsel M/s D. Lemuvel, C. Murugan, B. Prabhakaran, R. Hariharan, 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 05.03.2026 in Crime No. 97/2026 on the file of Ramapuram police station registered for the offence u/s 140(2) of BNS @ 140(2), 115(2), 118(1), 351(3) of BNS.

The learned counsel for the petitioner argued that, petitioners are innocents, they have been falsely implicated in this case. The matter has been compromised between the parties and the defacto complainant has filed affidavit narrating the entire happening that the respondent only misunderstood the call made to 100 , hence, wantonly registered the case of abduction. Only there was money dispute between them, In fact, the money Rs.24 lakhs paid by the defacto complainant for purchase of plot. The petitioner Bava is a Doctor , he and the defacto complainant are friends. On 04.03.2026 , since the registration of document could not be done in the Sub Registrar Office, since the documents were not accepted, the accused asked to return the money, as such, the defacto complainant returned the money Rs.24 laksh and only in respect of the advance Rs.11 lakhs, the petitioner to get the same from one Damodharan, and only during their travel to get the money, since call was made to 100 , it was misunderstood and case was registered, now the matter has been compromised as both side are friends, the petitioners were unwantonly arrested by the respondent police, they are in custody for the past 8 days, petitioners are 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 the defacto complainant is one Anil Kumar and one Damodaran obtained power in respect of property situated at Kelambakkam, which the accused Bava was intended to purchase the same for which Rs.24 lakhs was sent to the account of defacto complainant, and during the registration of sale deed, since the documents were not accepted, the said Bava demanded to return the amount, accordingly, the defacto complainant sent Rs.24 lakhs to the said accused through RTGS and in respect of the advance amount Rs.11 lakhs is to be returned, the

accused were detained the defacto complainant in a car, and forcefully took him in a car to Kovalam, wherein he was assaulted and threatened to return the amount, thus based on the complaint given through 100 , the FIR was registered u/s 140(2) of BNS @ 140(2), 351(2) of BNS , petitioners were arrested on 05.03.2026 and the investigation is pending.

The petitioners state 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 pending in preliminary stage. The alleged offence is serious in nature.

As far as the contention of the learned counsel for the petitioner that the deacto complainant has filed affidavit stating no objection to release the accused, this Court considers that the offence is against State, whereas the investigation on the side of prosecution is in nascent stage. Therefore, at this stage, the same cannot be considered.

Therefore, on considering

- (i) grave nature of offence
- (ii) investigation is pending
- (iii) premature stage, as the first remand period itself is not completed,
- (iv) serious accusation of offence as against the petitioners u/s 140(2) of BNS
- (v) and also considering other facts and circumstances,

this Court is not inclined to grant bail to the petitioners

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 D. Lemuvel
Thiru. S.Murthy, Public Prosecutor for the State
The Judicial Magistrate No.I, Poonamallee
The Inspector of police, Rampuaram police Station
The Superintendent, Central Prison-II, Puzhal, Chennai