

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

Monday, the 23<sup>rd</sup> day of March, 2026

CrI.M.P.No: 986/2026

Ponnusamy S/o Sadasivam

.....Petitioner/Accused

//Versus//

State Rep. by the Inspector of Police,

Pennalurpettai Police Station,

(Crime No:36/2026)

.....Respondent/Complainant

**Petition dated:09.03.2026 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.A.Thirumalai, Karthick, K.Raja, D.Jothi, R.Vetrivel, M.Sharmila, S.Sathishkumar, 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 B.N.S.S seeking to release the petitioner who was remanded on 07.03.2026 in Crime No. 36/2026 on the file of Pennalurpettai police station registered for the offence u/s.303(2), 326(a) of BNS r/w 21(1) MMDR Act.

The learned counsel for the petitioner argued that, the petitioner is innocent, he had not committed any offence as alleged by the respondent police, only for statistical purpose, the petitioner had been falsely foisted in this case, the respondent police without proper enquiry implicated the petitioner in this case, all the properties seized, he had judicial custody for the past 17 days, the petitioner is ready to cooperate for investigation and ready to abide by any condition, therefore prayed for granting the bail.

Notice given to concerned police. The learned Public prosecutor for the State raised objection to grant bail to the petitioner argued that on 07.03.2026 at 08.00 Hrs, when the respondent police routine during surveillances at koonipalayam bus stand, the petitioner was found in illegal possession of one unit river sand of worth about Rs.10,000/- and sand, unnumbered tractor seized, based on complaint FIR was registered and the petitioner was arrested on 07.03.2026 and the investigation is pending. No previous case as against the petitioner.

The petitioner states in his 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.

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As per the representation of the learned Public Prosecutor, the petitioner is local resident and first time offender, It appears that substantial part of investigation is completed as the petitioner is custody for 17 days,

Therefore, on considering,

1. nature of offence,
  2. duration of custody of the petitioner for the past 17 days,
  3. substantial part of investigation would be completed,
  4. alleged properties seized,
  5. it appears from the representation of the learned Public Prosecutor that the petitioner is local resident and first time offender,
  6. the representation of the learned counsel for the petitioner that the petitioners will abide by any condition and cooperate for investigation,
  7. also the other facts and circumstances of this case,
- 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 by 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 *Hon'ble 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 of B.N.S

Dictated to the Shorthand Writer and Pronounced by me in Open Court on this 23rd day of March 2026

**Principal District and Sessions Judge,  
Tiruvallur**

**Copy to:-**

The Petitioner's Advocate M/s.A.Thirumalai,  
Thiru.S.Murthy, Public Prosecutor for the State,  
The District Munsif Cum Judicial Magistrate, Uthukkottai,  
The Inspector of Police, Pennalurpettai Police Station.  
The Superintendent, Sub-Jail, Tiruvallur.