

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 23rd day of March, 2026

CrI.M.P.No:987/2026

1. Hariharan, S/o Ravi
2. Amresh, S/o Rajesh

...Petitioner/Accused

//Versus//

State Rep. by the Inspector of Police,
Poonamallee Police station
(Crime No: 144/2026)

.....Respondent/Complainant

Petition dated: 09.03.2026 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. Bharatharaja, R. Prathap, M. Magesh, G. Malathi, 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 06.03.2026 in Crime No.144/2026 on the file of Poonamallee police station registered for the offence u/s 126(2), 296(b), 115(2), 309(4), 311, 351(3) of BNS.

The learned counsel for the petitioners argued that, petitioners are innocents, they have been falsely implicated only for statistical purpose only due to one previous case, only based on the confession of the co-accused they have been falsely implicated, the petitioners were not at all present in the place of occurrence, they are in custody for the past 18 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 on 06.03.2026 at about 7.00 AM, when the defacto complainant was coming near Poonamallee Amma Nagar graveyard, the petitioner along with other accused waylaid and demanded money, when he refused, they assaulted him with hands and robbed Rs.1400/- at knife point, hurled stones over the public and escaped, based on the complaint, FIR was registered, the petitioner was arrested on 06.03.2026 the petitioners are having each one previous case 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, investigation is still pending in preliminary stage and the alleged offence is serious in nature, and the petitioners are having one previous case of similar nature.

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 petitioner u/s 311 of BNS
- (v) that the representation of the learned Public Prosecutor that since the petitioner is having 1 previous cases, if he is released and then absconds, investigation in both the cases as against him would also be affected
- (vi) 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 23rd day of March ,
2026

**Principal District and Sessions Judge,
Tiruvallur**

Copy to

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