

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

Tuesday, the 28th day of July, 2026

Crl.M.P.No:2776/2026

(CNR No.TNTR010059092026)

Rathish, S/o Kumaran,

...Petitioner/Accused

//Versus//

State Rep. by the Inspector of Police,

Manali New Town Police station

(Crime No: 218/2026)

.....Respondent/Complainant

Petition dated: 09.07.2026 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 K. Ramesh, V. Nirmalraj, and the State / respondent police represented by the learned Public Prosecutor Thiru.N.R. Sreedharan Babu 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 07.07.2026 in Crime No. 218/2026 on the file of Manali New Town police station registered for the offence u/s 189, 191(2), 191(3), 132, 61(2) of BNS r/w 25(1)(a) of Arms Act.

The learned counsel for the petitioner argued that, petitioner is innocent, he has been falsely implicated only for statistical purpose, only since the respondent police unnecessarily threatened the petitioner and his friend, they had quarreled with the police, only for that reason, while remanding the petitioner, there was complete violation of Rule 6 of the Criminal Rules of Practice, thereby the Judicial Magistrate has not even noticed the injuries sustained by the petitioner and as he was admitted in the hospital, even the petitioner's wife had lodged a complaint before Superintendent of Police that the petitioner was assaulted on 05.07.2026, and he was admitted in hospital from 05.07.2026, while so the respondent police implicated the petitioner in this case which was happened on 07.07.2026, hence, as per the dictum of the Hon'ble High Court, Madras in WP Crl.(MD) No.993/2026 dt. 23.02.2026, the petitioner is entitled to get bail, they have been falsely implicated in this case, no weapon was seized from the petitioner, he has no previous antecedents, and it is only a *suo moto* FIR, all the witnesses are police witnesses, hence, there is no possibility of tampering the witnesses, petitioner is in custody for the 22 days in this case, he 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 07.07.2026 at 4.00 AM based on the discreet information, when the defacto complainant who is the SI of Police along with police party on surveillance near Manali Pudhunagar Primary Health centre, 7th Block in a flat, the petitioner along with other accused were planning to commit murder of one person and were in the two wheeler bearing Reg.No. TN05DA1591 with deadly weapons of patta knife, and tried to escape when seeing the police, when the police intervened and warned him, he abused the police in filthy language and also tried to assault them, with knife, hence, all the accused were arrested, based on the complaint, FIR was registered u/s 189, 191(2), 193(3), 132, 61(2) of BNS and section 25(1)(a) of Arms Act, petitioner was arrested on 07.07.2026, the petitioner is having 1 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, petitioner is a local resident and. There is no injury to anyone during the alleged occurrence. It appears that substantial part of investigation is completed as the petitioners are in judicial custody for the past 22 days.

Therefore, on considering

- (i) Nature of offence
 - (ii) duration of custody of the petitioner for the past 22 days
 - (iii) it appears that substantial part of investigation is completed,
 - (iv) there is no injury to anyone,
 - (v) that as per the representation of the learned Public Prosecutor, it appears that the petitioner is a local resident
 - (vi) the representation of the learned counsel for the petitioners that the petitioners being local residents will cooperate for investigation and will abide by any condition,
 - (vii) considering 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/- with two sureties for the like-sum each to the satisfaction of Judicial Magistrate No.II, Ponneri and on condition that the petitioners 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 petitioners abscond, a fresh FIR can be registered under Section 269 BNS.

Dictated to the Shorthand Writer and Pronounced by me in Open Court on this 28th day of July, 2026

**Principal District and Sessions Judge,
Tiruvallur**

Copy to

The Petitioner's Advocate M/s K. Ramesh,
Thiru.N.R. Sreedharan Babu, Public Prosecutor for the State
The Judicial Magistrate No.II, Ponneri
The Inspector of police, Manali New Town police Station
The Superintendent, Central Prison-II, Puzhal, Chennai