

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

Friday, the 24th day of July, 2026

Crl.M.P.No:2875/2026

(CNR No.TNTR010061142026)

Tupakula Brahmaiah, S/o Thupakula Subramanyam

...Petitioner/Accused

//Versus//

State Rep. by the Inspector of Police,
Arambakkam Police station
(Crime No: 153/2026)

.....Respondent/Complainant

Petition dated: 15.07.2026 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 K. Aswin Balaji, 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 10.07.2026 in Crime No.153/2026 on the file of Arambakkam police station registered for the offence u/s 303(2), 326(a) of BNS r/w 21(1) of MMDR Act.

The learned counsel for the petitioner argued that, petitioner is innocent, he has been falsely implicated only for statistical purpose, all the properties were already seized. The petitioner was not at all present in the place of occurrence , on the date of occurrence, the petitioner did not handle the alleged vehicle which was hired to some other person, the respondent police without proper enquiry and without verifying proper licence and other documents as to the ownership of the vehicle falsely implicated the petitioners in this case , the petitioner has no bad antecedents, he is in custody for the past 15 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 10.07.2026 at about 00.30 Hs, when the defacto complainant who is the Assistant Geologist, Geology and Mines Department, Chennai was in surveillance near Elavur combined Checkpost, found that the accused person was transporting 35 tonne of pebbles worth about Rs. 50,000/- in his lorry bearing Reg.No. AP39UN9689 without having any licence and permit, hence, the accused persons were arrested, hence, the property of vehicle and pebbles were seized, based on the complaint, FIR was registered, the accused was arrested on 10.07.2026 and the investigation is pending. The petitioner has no previous case.

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 permanent resident and first offender. It appears that substantial part of investigation is completed as the petitioner is in judicial custody for the past 15 days.

Therefore, on considering

- (i) Nature of offence
 - (ii) Long duration of custody of the petitioner for the 15 days
 - (iii) As per the representation of learned Public Prosecutor, it appears that substantial part of investigation is completed,
 - (iv) All the properties were already seized,
 - (v) that as per the representation of the learned Public Prosecutor, it appears that the petitioner is a permanent resident and first offender
 - (vi) the representation of the learned counsel for the petitioner that the petitioner being permanent resident will cooperate for investigation and will abide by any condition,
 - (vii) also 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 District Munsif cum Judicial Magistrate, Gummidipoondi and on condition that the petitioner 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 petitioner absconds, a fresh FIR can be registered under Section 269 BNS.

Dictated to the Shorthand Writer and Pronounced by me in Open Court on this 24th day of July, 2026

**Principal District and Sessions Judge,
Tiruvallur**

Copy to

The Petitioner's Advocate M/s K. Aswin Balaji,
Thiru.N.R. Sreedharan Babu, Public Prosecutor for the State
The District Munsif cum Judicial Magistrate , Gummidipoondi
The Inspector of police, Arambakkam police Station
The Superintendent, Central Prison-II, Puzhal, Chennai