

IN THE COURT OF JUDICIAL MAGISTRATE NO. III
TIRUPATHUR, TIRUPATHUR DISTRICT

Present:- Tr.S. Kovendhan,B.A.,LL.B.,(Hons).,
 Judicial Magistrate No.III (FAC),
 Tirupathur.

Tuesday, this the 02nd day of June 2026

CrL.MP. No. 1467 of 2026

in

Cr.No. 90 of 2026

Captain Pirabaharan (Age. 31) S/o. Balaraman,
 No. 102 Reddiyur Village,
 Vaniyambadi Taluk,
 Tirupathur District.

... Petitioner/Accused

//Vs//

The State Rep. by
 Sub-Inspector of Police,
 Alangayam PS
 U/s. 296(b),118(1),351(3) of BNS

... Respondent/Complainant

The Petition has been taken on file on 29.05.2026 and came up for final hearing before me on this day in the presence of the Learned counsel Tr. R. Thangapandian, B.Sc., LL.B., appearing for the Petitioner and the Learned APP.Gr.II appearing for the Respondent and after hearing both sides and on perusal of records and having stood over for my consideration till this day, this court delivered the following,

ORDER

1. This bail petition has been filed by the petitioner under section 480 of BNSS to release the petitioner/accused on bail, he was arrested and remanded to judicial custody on 28.05.2026 in Cr. No. 90 of 2026 for alleged under section 296(b), 118(1), 351(3) of BNS.
2. The Respondent Police have submitted a reply stating that, if the

petitioner/accused is released on bail, he may involve himself in similar offences. It is further submitted that the investigation is still pending and that the petitioner/accused may intimidate the witnesses as well as the de - facto complainant. The Respondent Police have also contended that the petitioner/accused may not appear before the Court regularly and therefore, have strongly opposed the grant of bail to the petitioner/accused. It is submitted that the injured victim has been discharged from the hospital after receiving treatment, and no previous criminal case is pending against the petitioner/accused.

3. The Learned APP has submitted a reply stating that, if the accused is released on bail, he may involve himself in similar offences and may abscond. It is further submitted that, since the investigation of the case is still pending, the petitioner/accused may tamper with the witnesses. Therefore, the Learned APP has strongly opposed granting bail to the accused.
4. Heard both sides. Records perused. The records reveal that the petitioner/accused was remanded to judicial custody on 28.05.2026 in Crime No. 90 of 2026 for offences punishable under Sections 296(b), 118(1), and 351(3) of the B.N.S., and has been in judicial custody for the past five days. Though the Respondent Police and the Learned APP have opposed the petition by stating that the investigation of the case is still pending, the records show that a major part of the investigation has already been completed and the alleged case property has also been recovered by the Respondent Police. Further, the reply filed by the Respondent Police discloses that the injured victim has been discharged from the hospital after receiving treatment. The Respondent Police have also not raised any objection stating that any previous criminal case is pending against the petitioner/accused. It was argued by the learned counsel for the petitioner that the case has been falsely foisted against the petitioner and that he is innocent. The learned counsel further undertook

that the petitioner would furnish sufficient sureties and abide by any conditions that may be imposed by this Court. Therefore, considering the nature of the offences alleged, the period of incarceration already undergone by the petitioner/accused, the progress of the investigation, and the overall facts and circumstances of the case, this Court is inclined to allow the petition in the interest of justice, subject to the following conditions:

- (a) That the petitioner/accused shall execute bond for a sum of Rs.10,000/- like sum with two sureties each.
- (b) That the Petitioner/accused shall appear and sign before respondent police station daily by Morning 10.00 A.M for 30 days.
- (c) That the Petitioner/accused shall cooperate for interrogation as and when required by the respondent police.
- (d) That the Petitioner/accused shall not tamper with witness and abscond and shall not involve in similar kind of offence.
- (e) On breach of any of the aforesaid conditions, appropriate action against the petitioner in accordance with law (P.K.Shaji Vs State vs Kerala (2005) A.I.R. SCW 5560) be taken.
- (f) If, the accused thereafter absconds, A fresh F.I.R. be registered u/s 269 of BNS.

Dictated to typist and typed by him and corrected by me and pronounced by me on 02nd day of June 2026.

(Sd/- S.Kovendhan)
Judicial Magistrate No.III(FAC)
Tirupathur.

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