

**BEFORE THE COURT OF SESSIONS DIVISION OF
VELLORE DISTRICT, TAMIL NADU**

Present: Thiru.M.Elavarasan,
Principal Sessions Judge, Vellore.

Saturday, the 07th day of March, 2026

Cr.M.P.No.680 of 2026
CNR.No.TNVL01-001022-2026

A2. Thirumal, (M-33)
S/o Boopathi
Residing at No.203, North Kollaimedu
Munjurpattu
Vellore District
Tamil Nadu.

...Petitioner/Accused

-vs-

The State represented by
The Sub Inspector of Police
Sathuvachari P.S.
Vellore District
Tamil Nadu
Cr. No.08 of 2026.

...Respondent/Complainant

This petition is coming before me for hearing today in the presence of Thiru K.M.R Benedict Kennedy, learned counsel for the petitioner, the learned Public Prosecutor for the respondent and, after hearing both sides, this court, delivered the following:

O R D E R

This is a petition for bail u/s 483 of BNSS for the alleged offences u/s. 331(3) and 305 of the Bharatiya Nyaya Sanhita, 2023.

2. The learned counsel for the petitioner with support of the petition averments submitted that the petitioner was remanded to judicial custody on 24.01.2026 and he is in custody for the past 43 days and the case was registered against the petitioner based on the false complaint given by the defacto complainant. This is the 2nd bail application. There is no previous case as against the petitioner. The stolen gold and silver ornaments have already been recovered. The petitioner is innocent and no way connected with the offences and that the petitioner is having permanent residence and he is ready to furnish sufficient sureties to ensure his regular attendance and abide by any condition imposed by this Court, and prays that the petitioner may be granted bail.

3. On notice, the learned Public Prosecutor filed his objection and submitted that there are totally two accused in this case and the petitioner is arrayed as A1 and there is one previous case against the petitioner for the offence under the POCSO Act. The petitioner and other trespassed into the defacto complainant's house and committed theft of gold and silver articles and the stolen property has been recovered and the investigation is still in progress and strongly opposed to release the accused on bail.

4. Heard both the sides. Records perused. On perusal of FIR, it reveals that on 19.01.2026, the petitioner and other committed house breaking and theft of gold and silver ornaments from the house of the defacto complainant. Hence the present case. The learned counsel for the petitioner submit that the petitioner is falsely implicated in this case and the petitioner is in judicial custody for the past 43 days and seeks bail for the petitioner. The learned Public Prosecutor filed his objection and submitted that there is one previous case as against the petitioner for the offence under the POCSO Act and stolen property has been recovered and strongly opposed to grant bail to the petitioner. Considering the facts and circumstances of the case, nature of offence committed by the petitioner/accused, criminal antecedent of the petitioner, there is no change of circumstances reported from the earlier dismissal of bail application and the investigation is still in progress, this court is not inclined to entertain this petition.

5. In the result, this petition is dismissed.

Pronounced by me in Open Court, this the 07th day of March, 2026.

Principal Sessions Judge,
Vellore.

To
The Judicial Magistrate V, Vellore.
The Sub Inspector of Police, Sathuvachari P.S.
The Superintendent, Central Prison, Vellore – Communicate to the
Sub jails, if the Under Trial prisoner is incarcerated in any sub jail.