

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, VILLUPURAM

Present: Thiru. A.Manimozhi, B.A., LL.B.

Principal Sessions Judge, Villupuram

Tuesday, the 17<sup>th</sup> day of March 2026.

**CMP.No.1078/2026**

(Cr.No.125/2025, Melmalaiyanur P.S., Judicial Magistrate, Gingee)

1. Madhiyazhagan, S/o. Settu

2. Suriya, S/o. Babu

... Petitioners/Accused.

/VS/

State by Inspector of Police,  
Melmalaiyanur P.S.,

... Respondent/Complainant.

Petition filed u/s.483 B.N.S.S. dated 11.03.2026 to release the accused on bail.

This petition is coming on this day before me for hearing in the presence of Thiru.P.R.Senthilkumar, Advocate for the Petitioners and Thiru.T.S.Subramanian, Public Prosecutor for the state, and upon perusing both side contentions, this court delivered the following:

**ORDER**

This petition has been filed by the petitioners u/s.483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking bail for the offences alleged to have been committed by them under section 303(2) of BNS.

The learned counsel for the petitioners stated that the petitioners were arrested and remanded to judicial custody on P.T. warrant on 29.01.2026 and they have been in custody for the past 47 days. The learned counsel further stated that the petitioners are innocent and they have been falsely implicated in this case, and the petitioners have been granted bail in other two previous cases against them except the present case, and the petitioners are having permanent residence and they belonged to respectable family and they would neither abscond nor tamper any witnesses and they are ready to abide any condition to be imposed by this court and previous bail application filed by the petitioners was dismissed by this court in CrI.M.P.No.929/2026 dated 05.03.2026 and prays to release them on bail.

The learned Public Prosecutor represented that incident said to have taken place on 18.07.2025 and FIR was registered on 19.07.2025. Totally there are 2 accused involved in this case and both of them were arrested and remanded to judicial custody by way of P.T. warrant on 29.01.2026. The defacto complainant is the Assistant Engineer, Operation and Maintenance, TANGEDCO, Thayanur, Villupuram District. On the occurrence day, the petitioners committed theft of Copper Coil – 3 Nos. from the Transformer which is present in the EB Office worth about

Rs.5000/-. The learned Public Prosecutor further stated that the alleged stolen property was recovered, and the petitioners are hailing from Thiruvannamalai District and two previous cases are pending against the petitioners and in this case, investigation was almost completed.

Considered the submissions on both sides and perused the records. It is alleged that on the occurrence day, the petitioners committed theft of Copper Coil – 3 Nos. from the Transformer which is present in the EB Office worth about Rs.5000/-. It is stated that the petitioners are hailing from Thiruvannamalai District and two previous cases are pending against the petitioners. Earlier bail application filed by the petitioners was dismissed by this court on the ground that investigation is pending, and now the learned Public Prosecutor stated that the alleged stolen property was recovered and investigation was almost completed. The occurrence happened on 18.07.2025 and the petitioners were arrested and remanded to judicial custody by way of P.T. warrant on 29.01.2026 and they have been in judicial custody for the past 47 days. The learned counsel for the petitioners stated that originally the petitioners were arrested on 06.01.2026 in another crime number and subsequently they were remanded on 29.01.2026 by way of P.T.warrant in this case, and the petitioners have been granted bail in other two previous cases against them except the present case. It appears that the petitioners have been in custody from 06.01.2026. Considering these aspects and the nature of the offence and the recovery of the property and the period of custody undergone by the petitioners and change in the circumstances, this court is inclined to allow this petition with the following **stringent** conditions :-

(a) The petitioners/accused are ordered to be released on bail on their executing a bond for a sum of **Rs.10,000/- each with two sureties each, in which one surety must be a blood surety**, for a like sum to the satisfaction of the **Judicial Magistrate, Gingee**.

(b) The petitioners shall appear and sign before the **Gingee Police Station twice a day at 10.00 A.M. and 5.00 P.M. until further orders** (including holidays) from the next day of execution of bond before the trial Court.

(c) The sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

(d) The petitioners shall not commit any offences of similar nature.

(e) The petitioners shall not abscond either during investigation or trial.

(f) The petitioners shall not tamper with evidence or witness either during investigation or trial.

(g) On breach of any of the aforesaid conditions, the learned Magistrate/Trial court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial court himself/herself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560].

(h) If the accused thereafter abscond, a fresh FIR can be registered under section 269 of B.N.S. **Accordingly, this petition is allowed.**

Pronounced by me in open court this the 17<sup>th</sup> day of March 2026.

Principal Sessions Judge,  
Villupuram.

**To**  
The Judicial Magistrate, Gingee.

**Copy to**

1. The Petitioner's Advocate.
2. The Public Prosecutor, Villupuram.
3. The Inspector of Police, Melmalaiyanur P.S.
4. The Inspector of Police, Gingee P.S.
5. The Superintendent, Sub Jail, Gingee through E-mail.