

**IN THE COURT OF PRINCIPAL SESSIONS JUDGE , DINDIGUL.**

**PRESENT: THIRU. SWARNAM J RAJAGOPALAN, B.A., B.L., Hons.,  
Principal Sessions Judge (i/c), Dindigul.**

**Wednesday the 12<sup>th</sup> day of August 2026.**



**Crl.M.P. No.2230/2026  
CNR No.TNDG010046002026**

Mariswaran, 23/2026  
S/o.Marisamy

.. Petitioner/Accused

/vs/

State through  
The Sub-Inspector of Police, Ayakudi Ps.  
Cr. No.162/2026

.. Respondent/Complainant

Petition dated 10.08.2026 through e-filed and U/s. 483 of BNSS seeks custody bail to the petitioner/accused.

This petition came before this Court for final hearing today in the presence of Thiru.M.Velmurugan, the learned Counsel for the petitioner and of Thiru.T.Sivachandran, the learned Public Prosecutor for the respondent and heard either side and on perusing all the records, this Court delivered the following.....

**ORDER**

1. This petitioner/ accused seeks bail for the alleged offence U/s 304(2) of BNS @ 309(4) and 311 of BNS Act,2023.
2. The prosecution case is that on 01.05.2026 at about 7.45 p.m. when the defacto complainant and her relatives were proceeding to Veerakumar Swamy temple at Melakottai by two wheelers in Palani – Oddanchatram four way road and while crossing the service road at Rukkuvarpatti, the petitioner and the co-accused person came behind them in a two wheeler and dashed with the two wheeler of the defacto complainant, when she fell down from the two wheeler, the petitioner and the co-accused person robbed 7.1/2 sovereigns of gold chain from the defacto complainant.
3. The learned Counsel appearing for the petitioner/accused submitted written submission stating that the petitioner is undergoing incarceration from 05.05.2026; petitioner did not involve in this case incident as alleged by prosecution; false case has been foisted against the petitioner; if he is released on bail, he will abide the conditions of this Court and that he may be released on bail.

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4. On the other hand, the learned Public Prosecutor contended that investigation is pending; the petitioner has already involved in 17 previous case incidents and history sheeted rowdy in HS No.28 of 2021; if he is released on bail, he will commit similar type of offence, he will abscond and tamper the prosecution witnesses and that petition may be dismissed.

5. Upon hearing both side arguments and on perusal of contents of FIR, it is seen that at the time of alleged incident, the petitioner and the co-accused person came in a two wheeler, dashed with the two wheeler of the defacto complainant and robbed 7.1/2 sovereigns of gold chain from the defacto complainant. It is objected on prosecution that 17 previous cases are pending against the petitioner/accused.

6. Considering the nature of offence, petitioner/accused is in judicial custody for the past 98 days and Charge-sheet not filed by police till date and in the interest of justice, this Court is inclined to grant bail to the petitioner accused on following conditions;

1. the petitioner/accused is ordered to be released on bail on executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand)** with two sureties for a like sum to the satisfaction of **learned Judicial Magistrate, Palani and on condition that;**
2. 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.
3. the petitioner/accused shall appear and sign before the **respondent police daily at 10.00 a.m for a period of 3 weeks;**
4. the petitioner/accused shall not tamper with evidence or witness either during investigation or trial.
5. the petitioner/accused shall not abscond either during investigation or trial.
6. On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K. Shaji Vs. State of Kerala [(2005) AIR SCW 5560].
7. If the accused thereafter absconds, a fresh FIR can be registered U/S.269 of BNS.

Pronounced by me in open Court this the 12<sup>th</sup> day of August 2026.

**Principal Sessions Judge(i/c),  
Dindigul.**

**.3.**

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The Judicial Magistrate, Palani.  
The Public Prosecutor, Dindigul .  
The Sub-Inspector of Police, Ayakudi PS.  
Thiru.M.Velmurugan , Counsel for the petitioner.

They are requested to download this order from  
the above said official web site link.