

**IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE AT
PUDUCHERRY**

**PRESENT: THIRU. D.V. AANAND., M.A., B.L.,
PRINCIPAL SESSIONS JUDGE**

Tuesday, the 11th day of August 2026.

Crl.M.P. 833/2026, 836/2026, 837/2026 and 839/2026

1. Crl.M.P. No. 833/2026

B.T. Arish, S/o. Bakthavassalame

..... Petitioner

Vs.

1. State Rep. by Station House Officer,
Mudaliarpeta PS, Puducherry.
(Cr. No. 29/2026)

..... 1st Respondent/Complainant

2. K. Vanitha, W/o. Kanniyappan

..... 2nd Respondent/Accused No. 3

2. Crl.M.P. No. 836/2026

B.T. Arish, S/o. Bakthavassalame

..... Petitioner

Vs.

1. State Rep. by Station House Officer,
Mudaliarpeta PS, Puducherry.
(Cr. No. 29/2026)

..... 1st Respondent/Complainant

2. Prakash, S/o. Pakkiri

..... 2nd Respondent/Accused No. 5

3. Crl.M.P. No. 837/2026

B.T. Arish, S/o. Bakthavassalame

..... Petitioner

Vs.

1. State Rep. by Station House Officer,
Mudaliarpeta PS, Puducherry.
(Cr. No. 29/2026)

..... 1st Respondent/Complainant

2. Madhavan, S/o. Sivakumar

..... 2nd Respondent/Accused No. 4

4. CrI.M.P. No. 839/2026

B.T. Arish, S/o. Bakthavassalame

..... Petitioner

Vs.

1. State Rep. by Station House Officer,
Mudaliarpet PS, Puducherry.
(Cr. No. 29/2026)

..... 1st Respondent/Complainant

2. Muthulakshmi

..... 2nd Respondent/Accused No. 1

Counsel for Petitioner Ms. J. Jayalakshmi, A. Asha, T. Akila

Counsel for 2nd Respondents/A1 and A4 Tvl. B.N. Balasundiram, V. Vijayarangan, K. Kanagasabai, K. Venkatesh, K. Manoj, L. Lawrance

Counsel for 1st Respondent Thiru. P. Rabindran, Public Prosecutor for the State

COMMON ORDER

These petitions are filed u/s 483(3) of BNSS Act 2023 to cancel the bail granted to the accused persons vide CrI.M.P. Nos. 732/2026 (A3), 690/2026 (A5), 671/2026 (A4) and 28/2026 (A1) dated 27.04.2026, 17.04.2026, 16.04.2026 and 12.05.2026 respectively.

2. The averments in the petitions in short as follows:

2.1. The petitioner is one of the victim in this case. He submitted that the accused persons obtained bail without disclosing the full nature, magnitude and subsequent developments of the offences, including the involvement of multiple accused, multiple victims and recoveries of stolen properties. A1, having access to the Petitioner's residence as a domestic help, allegedly misused the trust reposed in her and removed gold ornaments, silver articles and cash, while A3, A4 and A5 allegedly

colluded with A1 in possessing, concealing and disposing of the stolen properties. The actual loss is substantially higher than initially projected. The Petitioner suffered loss of approximately 138 grams of gold worth Rs.22 lakhs, out of which about 59 grams remain unrecovered, while another victim, Janarthanan, also suffered loss of approximately 39 grams of gold and silver articles. The total value of the stolen properties is estimated to be more than Rs.30 lakhs.

2.2. The counsel for the petitioner submitted that, the investigation is also not complete, particularly with regard to the recovery of the remaining stolen properties, seizure and examination of mobile phones, CDR analysis, verification of bank transactions and tracing of the financial trail. The recoveries effected pursuant to the involvement of A3 disclose her nexus with the offences, contrary to the attempt to portray her role as a mere financial or loan transaction. Though bail was granted primarily on the ground that the charge sheet had been filed, the material facts relating to the subsequent investigation, larger magnitude of the offences, multiple victims and recoveries were not brought to the notice of this Hon'ble Court. The Petitioner had earlier approached the Judicial Magistrate No. VII, Puducherry, seeking further investigation. The petition was returned unnumbered on the ground that no final report/charge sheet had been filed, indicating that the investigation had not attained finality. The Petitioner also submitted representations to the concerned police authorities seeking a proper and detailed investigation.

2.3. It is further submitted by the counsel that there is a reasonable apprehension that, if the accused are permitted to remain on bail, they may tamper

with evidence, influence witnesses, collude with co-accused and obstruct further recovery. The suppression or misrepresentation of material facts while obtaining bail amounts to an abuse of the process of Court and constitutes a valid ground for cancellation of bail. Hence, the Petitioner seeks cancellation of the bail granted to the accused persons and appropriate directions for securing their custody in the interest of justice.

3. Notice was served to the respondent/accused and the accused A1 and A4 appeared through advocate and filed written objection. Notice was issued to the SHO Mudaliarpur police who also filed a detailed written submissions.

4. Written objection filed by A1 and A4 in short as follows:

The petitioners were granted bail subject to the conditions that they shall appear before the Mudaliarpur Police Station daily for a period of 30 days and produce two sureties for a sum of ₹10,000/- before the Judicial Magistrate No. VII, Puducherry. The accused have duly complied with all the conditions imposed by this Hon'ble Court. Pursuant to the said order, the accused have regularly appeared before the Police Station, and the police have completed the investigation. Therefore, no further interrogation of the accused is required in connection with the present case. It is further submitted that the present petitions filed by the defacto complainant are devoid of merit and amounts to questioning the order passed by this Hon'ble Court in accordance with law. The petitioner has no valid or legally sustainable ground for seeking cancellation of the bail granted to the accused. Hence, the present petition is liable to be dismissed.

5. The learned Public Prosecutor submitted that during the course of investigation, the accused persons filed bail petitions before this Hon'ble Court and were granted bail subject to the condition that they appear before the Station House Officer, Mudaliarpet Police Station, for a period of 30 days. In compliance with the order of this Hon'ble Court, the accused persons appeared before the Mudaliarpet Police Station without violating any of the conditions imposed by this Hon'ble Court. At this stage, the petitioner/victim filed the present petition seeking cancellation of bail. Upon considering the said petition and the materials available on record, A1 to A5 were arrested and remanded to judicial custody at the Central Prison, Kalapet, Puducherry. At the time of their arrest, certain stolen properties were recovered from the accused persons and the same were produced before this Hon'ble Court. Another accused, namely Dharanidaran of Vadalakuppam, Cuddalore, was found absconding. After completion of the investigation, the final report/charge sheet was prepared and filed on 02.04.2026 vide Charge Sheet No.54/2026. The said charge sheet was e-filed before the competent Court at Puducherry and is yet to be taken on file.

6. Point for Consideration:

Whether the bail granted to the petitioners are liable to be cancelled?

7. On point:

The petitioner has filed these applications seeking cancellation of bail on the ground that the respondent/accused have obtained bail by suppressing the fact that the charge sheet was filed but actually, the charge sheet was not filed. The investigation is incomplete but the accused were bailed out. The further allegation of the petitioner

is that the mobile phones were not seized, call details were not recovered, bank accounts were not freezed and the stolen jewels and cash were not recovered fully. The Learned Public Prosecutor has filed a detailed written objection tabulating the jewels recovered from the respondent/accused. The respondent/accused did not violate the conditions imposed by this Court at the time of granting bail. There is no allegation that the accused are attempting to leave the jurisdiction of the Court. There is no evidence on record to show, or any allegation made by the petitioner that the accused are obligating the evidence. Only if any one of these grounds are raised by the petitioner, the bail already granted to the accused shall be cancelled. Mere flaw in investigation and the investigation was not completed fully is not a ground to cancel the bail. Therefore, the contention of the petitioner cannot be accepted.

In the result, **the petitions are dismissed.**

Dictated to the Stenographer, transcribed by her, corrected and pronounced by me in the open Court, on this the 11th day of August 2026.

(D.V.AANAND)
PRINCIPAL SESSIONS JUDGE
PUDUCHERRY

Copy to

1. The Judicial Magistrate-VII, Puducherry
2. The Public Prosecutor, Puducherry
3. SHO Mudaliarpeta P.S., Puducherry.
4. The Counsel for the Petitioner.
5. The Counsel for the Respondents.