



WEB COPY

CRL OP No. 813 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 813 of 2026

1. Thanushkodi
S/o. Thangapandi, Karupatty Village,
Vadipatti Taluk, Madurai District.

Petitioner(s)

Vs

1. State Through, The Inspector of
Police,
Moolanur Police Station, Tiruppur
District. Crime No. 410/2024 .

Respondent(s)

PRAYER

To grant bail to the petitioner in Cr.No.410 of 2024 on the file of the Respondent Police.

For Petitioner(s): Mr.M.Dinesh for
Mr.M.Vivek Kumar

For Respondent(s): Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.05.2025, for the alleged offence punishable under Sections 331(3), 305(a) of BNS in Crime No.410 of 2024 on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that the petitioner joined hands with other accused, trespassed into the house of the defacto complainant and taken away a sum of Rs.5,000/-. Hence the case has been registered and the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that the petitioner was earlier convicted under the NDPS Act and thereafter, his sentence was suspended. In this case, he has been falsely implicated and the petitioner is in incarceration from 14.05.2025, that is nearly eight months. He further relied on the judgement of the Apex Court in *Balmukund versus. The State of Madhya Pradesh, reported in 2025 SAR Criminal 98*, and argued that continuous incarceration is a valid ground for granting bail. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is a habitual offender and in this case, final report has also been filed. The petitioner is involved in 43 previous cases, which include NDPS cases and other offences. If the petitioner is released on bail, he will indulge in similar offences. He further submitted that there is no false case as contended by the counsel for the petitioner. Hence, he opposed for grant of bail to the petitioner.



5. I have also gone through the records and other connected materials, including the judgement of the Apex Court cited above, and it is a well-settled principle that continuous incarceration without trial is a valid ground for granting bail.

6. It is submitted before me that the case is posted today for examination of LW1 and other witnesses; and the trial is also progressing. Apart from that, the petitioner is involved in 43 previous cases, which include all kinds of offences. Hence, though it is contended that the petitioner is under incarceration for nearly eight months and also submitted that he has been falsely implicated, the fact remains that the trial of the case is posted for examination of the witnesses, today i.e., 29.01.2026. Hence, this Court is not inclined to grant bail. Considering the exceptional nature of the case, I am inclined to direct the Trial Court to dispose of the trial of this case as early as possible.

7. Which the above direction, this criminal original petition is disposed of.

29-01-2026

Mpa
Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No



WEB COPY

CRL OP No. 813 of 2026



To

1.State Through, The Inspector of
Police,
Moolanur Police Station, Tiruppur
District. Crime No. 410/2024 .

2.The Public Prosecutor
High Court, Madras.



WEB COPY

CRL OP No. 813 of 2026



K.RAJASEKAR J.
mpa

CRL OP No. 813 of 2026

29-01-2026