



CRL OP(MD). No.5539 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

CRL OP(MD)No.5539 of 2026

Ajaykumar

... Petitioner / Accused No.2

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Aravakurichi Police Station,
Karur District.
(Crime No.202 of 2025)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 483 of the BNSS, 2023, to enlarge the petitioner on bail in C.C.No.28 of 2026 on the file of the learned District Munsif cum Judicial Magistrate Court, Aravakurichi, in Crime No.202 of 2025 on the file of the respondent police.

For Petitioner : Mr.M.Vivek,
Advocate

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor



CRL OP(MD). No.5539 of 2026

ORDER : The Court made the following order :-

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The petitioner, who was arrested and remanded to judicial custody on 27.01.2025 for the offence punishable under Sections 305, 331(4) and 305(a) of the Bharatiya Nyaya Sanhita, 2023, in C.C. No.28 of 2026 on the file of the learned District Munsif-cum-Judicial Magistrate Court, Aravakurichi, arising out of Crime No.202 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 30.06.2025 at about 11.30 a.m., the petitioner, along with some other accused persons, allegedly committed theft of gold jewels from the house of the defacto complainant. Hence, the respondent police registered a case for the aforesaid offence.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been in incarceration from 27.01.2025 onwards. On this ground, he prayed for the grant of bail to the petitioner.



CRL OP(MD). No.5539 of 2026

4. The learned Additional Public Prosecutor submitted that the final report has been filed in this case and the same has been taken on file by the learned District Munsif-cum-Judicial Magistrate, Aravakurichi, and the case has been posted for trial. He further submitted that long incarceration alone cannot be a ground for granting bail to the petitioner. Hence, he strongly objected to the grant of bail to the petitioner.

5. This Court heard the learned counsel appearing on either side and perused the materials placed on record.

6. Considering the facts and circumstances of the case and the petitioner allegedly committed theft of gold jewels, this Court is of the view that long incarceration alone cannot be a ground to enlarge the petitioner on bail. In this regard, this Court places reliance on the judgment of the Hon'ble Supreme Court in *State of Karnataka vs. Sri Darshan etc.*, reported in *2025 SCC OnLine SC 1702*, wherein it was observed that long incarceration of the accused person and a long list of witnesses which will take considerable period of time are not grounds for bail particularly when the offences are heinous. Hence, this Court is not



CRL OP(MD). No.5539 of 2026

inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed, with a direction to the learned trial Court to complete the trial on or before 19.06.2026.

18.03.2026

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To

- 1.The District Munsif-cum-Judicial Magistrate Court,
Aravakurichi.
- 2.The Inspector of Police,
Aravakurichi Police Station,
Karur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD). No.5539 of 2026

K.K.RAMAKRISHNAN,J.

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ORDER
IN
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