



Crl.O.P.(MD)No.9717 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03.06.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 9717 of 2026

Joshva @ Joshva Ronald Arockiya Penjamin

... Petitioner

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Elayankudi Police Station,
Sivagangai District.
(Crime No.165 of 2026)

...Respondents/Complainant

For Petitioner : Mr.G.Aravinthasamy
Advocate.

For Respondent : Mr.G.Ganesh Kumar
Government Advocate (Crl. side)

PETITION FOR ANTICIPATORY BAIL Under Sec.4165 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No. 165 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 191(2), 191(3), 296(b), 118(1), 109(1)



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and 251(3) of BNS and Section 4 of TNPHW Act, in Crime No.165 of 2026, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 24.04.2026 at about 07.00 a.m., when the defacto complainant along with his family members went to worship the family deity, the accused persons intercepted them and committed robbery of gold jewels. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is innocent and he was falsely implicated in this case and he is no way connected in the above said incident. He has not committed any offence as alleged by the prosecution. Hence, he prays to grant Anticipatory Bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submits that the offences are grave in nature. The accused persons gathered together, intercepted the vehicle of the defacto complainant, threatened them and committed robbery of gold ornaments. 13 sovereigns of gold ornaments has been recovered. There is one previous case against the petitioner. Injured has been discharged from the hospital. Investigation is still pending. He vehemently opposed the grant of anticipatory bail to the petitioner.



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5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the nature of offences charged against the petitioner, the injured was discharged from the hospital, even according to the prosecution the properties are partly recovered, based on the confession statement of the co-accused this petitioner was arrayed as an accused, though the petitioner has one previous case, he was already granted bail in that case also and considering all other facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Elayankudi, Sivagangai District**, on condition that the petitioner shall execute a bond for a sum of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[b] the petitioner shall report before the respondent police



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daily at 10.30 a.m., until further orders:

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[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

(P D B J)
03.06.2026

TM

To

1.The Judicial Magistrate, Elayankudi, Sivagangai District.

2.The Inspector of Police,
Elayankudi Police Station, Sivagangai District.

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3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J.

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ORDER
IN
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