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Crl.M.P.No.1563/2026
Periyakulam Police Station
Crime No : 368/2026

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THENI.

Present : Thiru. A. Saravanakumar, B.A.,B.L.,

Principal Sessions Judge, Theni.

Monday, this the 03rd day of August - 2026

Crl.M.P.No.1563/2026 - In -

CNR.No.TNTH01-002823-2026

1. Pitchaimani
2. Chinna Azhagar
3. Senthilkumar

... Petitioners/Accused

Vs

The State rep. by
The Inspector of Police,
Periyakulam Police Station,
(Cr.No.368/2026)

... Respondent / Complainant

The petition coming on this day for final hearing before me in the presence of Thiru. A. Jeyaraj, Advocate for the petitioners and Thiru. V. Veerasiva, Public Prosecutor for the State, after hearing both sides and perusing the written reply submitted by the respondent and records, this court delivers the following ...

ORDER

1. The petitioners are apprehending arrest for the offences charged u/s.191(2), 191(3), 126(2), 296(b), 118(1) and 351(3) BNS @ u/s.191(2), 191(3), 126(2), 296(b), 118(1), 351(3) and 109(1) BNS and had filed this petition u/s.482 of B.N.S.S., seeking for their release on anticipatory bail in the event of their arrest. ***(The punishable offences are mentioned as per the reply submitted by the prosecution)***

2. This is an application for anticipatory bail in respect of a case registered against the petitioners / accused u/s.191(2), 191(3), 126(2), 296(b), 118(1) and 351(3) BNS @ u/s.191(2), 191(3), 126(2), 296(b), 118(1), 351(3) and 109(1) BNS.

03.08.2026

Principal Sessions Judge, Theni.



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3. The learned counsel for the accused submits that the accused are an innocent persons and they have not committed any offence. If they are enlarged on anticipatory bail, they would furnish sufficient sureties.

4. The prosecution is given notice. The learned Public Prosecutor strongly objected to release the accused on the ground that the investigation is not yet completed.

5. Considering the rival submissions, it is noticed that the occurrence has taken place on 29.07.2026 and the FIR was registered on the same date. As per the prosecution case, the present petitioners along with other accused formed an unlawful assembly with a deadly weapon and wrongfully restrained the de-facto complainant. Beside that, they used abusive words towards the de-facto complainant and also attempted life and further threatened to kill him with dire consequences. Such being the case of the prosecution, it is noticed that the 1st petitioner/A2, namely Pitchaimani, is involved in one previous case for an offence under Section 307 IPC, which is pending in P.R.C.No.11/2026 on the file of the Judicial Magistrate Court, Periyakulam. Considering the above circumstances, **this court is not inclined to grant anticipatory bail to the 1st petitioner/A2.** At the same time, it is noticed that the 2nd and 3rd petitioners/A3 and A4, namely Chinna Azhagar and Senthilkumar, appear to be first time offenders and no previous cases are pending against them. The injured has already been discharged from the hospital and the property has been recovered. Therefore, most part of the investigation ought to have been completed. It



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is further noticed that the accused have permanent residence within the jurisdiction of the respondent police. There is no possibility of fleeing from justice. It is further considered that, with regard to the apprehension expressed by the prosecution, there was previous enmity between the accused persons and the de-facto complainant arising out of the murder of a family member of the accused persons. Therefore, this court is of the view that stringent conditions can be imposed upon the 2nd and 3rd petitioners, including a condition that they shall not enter the jurisdiction of the respondent police station until the completion of the period of signing before the police. Having regard to the overall facts and circumstances of the case, this court is inclined to consider the anticipatory bail application of the 2nd and 3rd petitioners/A3 and A4 with the following stringent conditions.

(i) Bond and Sureties :-

In the result, this petition is partly allowed by granting anticipatory bail to the 2nd and 3rd petitioners/A3 and A4 and as against the 1st petitioner / 2nd accused is dismissed. The 2nd and 3rd petitioners/A3 and A4 are directed to surrender before the **Jurisdiction Magistrate, Periyakulam** within 15 days from the date of receipt of the order or in the event of their arrest and production before the jurisdiction Magistrate concerned, **they are ordered to be released** on bail on their executing bond for Rs.10,000/- each with two sureties each for like sum to the satisfaction of the **Jurisdiction Magistrate, Periyakulam.**



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(ii) Daily Appearance Requirement :-

The 2nd and 3rd petitioners/A3 and A4 shall appear and report before the Uthamapalayam Police Station daily at 10.00 a.m., and 5.00 p.m., until further orders. In the event that the petitioners fail to surrender within 15 days from the date of the order, the anticipatory bail granted will automatically lapse.

(iii) Restriction on Entering the Disputed Place :-

The 2nd and 3rd petitioners/A3 and A4 shall not enter into the disputed place within the jurisdictional limits of Periyakulam Police Station until the signing condition imposed by this court is relaxed.

(iv) Identification Documentation :-

(a) The sureties shall affix their photographs and left thumb impression and the Judicial Magistrate while considering the sureties, shall obtain the copy of their Aadhar card or bank pass book to ensure their identity.

(b) The 2nd and 3rd petitioners/A3 and A4's photograph and Aadhaar Card with bank pass book copy shall also be obtained while considering the sureties.

(v) Contact Details for E-Summons and Court Communications :-

The 2nd and 3rd petitioners/A3 and A4 shall furnish and maintain active mobile number(s) and email ID(s) for receipt of e-summons, notices and other court communications. Any change shall be made only with prior permission of the concerned Court.



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(vi) Cooperation with Investigation :-

The 2nd and 3rd petitioners/A3 and A4 shall appear before the respondent police and cooperate with the investigation as and when required.

(vii) Cooperation for Expeditious Trial :-

The 2nd and 3rd petitioners/A3 and A4 shall not seek unnecessary adjournments or adopt any tactic to delay the trial proceedings.

(viii) Non-Interference with Witnesses :-

The 2nd and 3rd petitioners/A3 and A4 shall not directly or indirectly threaten, induce or influence any witness or person connected with the case.

(ix) Travel Restriction :-

The 2nd and 3rd petitioners/A3 and A4 shall not leave the State of Tamil Nadu without prior permission of the concerned Court and shall not involve themselves in similar offences.

(x) Cooperation for Early Disposal :-

The 2nd and 3rd petitioners/A3 and A4 shall cooperate with the Court for the early disposal of the case.

(xi) Consequences of Breach :-

Any violation of the aforesaid bail conditions shall entail appropriate action against the 2nd and 3rd petitioners/A3 and A4 in accordance with law, including cancellation of bail, as laid down by the Hon'ble Supreme Court in ***P.K. Shaji Vs. State of Kerala***, reported in AIR 2005 SCW 5506.



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(xii) Absconding Consequences :-

In the event that the 2nd and 3rd petitioners/A3 and A4 abscond, a fresh FIR shall be registered under Section 269 of the BNS.

Given by me, this the 03rd day of August – 2026.

**Principal Sessions Judge,
Theni.**

Copy to :-

1. The Judicial Magistrate, Periyakulam.
2. The Public Prosecutor, Theni.
3. The Inspector of Police, Periyakulam Police Station.
4. The Inspector of Police, Uthamapalayam Police Station.
5. Counsel for the Petitioners.

03.08.2026

Principal Sessions Judge, Theni.