

In the Court of the Principal District Judge, Dharmapuri.

**Present : Tmt.C.Thirumagal, M.L.,
Principal District Judge,
Dharmapuri.**

Tuesday the 02nd day of June 2026

Criminal Miscellaneous Petition No.574/2026

Connected with Criminal Miscellaneous Petition No.607/2026

1. Muthaiyan, Age 20, S/o. Murugan,
2. Murugan, Age 56, S/o. Alagappan,
3. Vinothkumar, Age 27, S/o. Muthu,
4. Jeevanantham, Age 19, S/o. Sendrayan,
5. Sendrayan, Age 51, S/o. Chinnappu, ...Petitioners/Accused

//Versus //

State: The Inspector of Police,
Eriyur P.S.,
Cr.No.80/2026.

....Respondent/Complainant

Petition dated 25.05.2026 filed U/s. 483 of BNSS to grant bail for the offences U/s.191(2), 296(b), 115(2), 133 of BNS and Sec.3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Act 2015.

This petition coming on for hearing before me today in the presence of Tr.C.Palanisamy, Advocate for the petitioner and of Public Prosecutor for the respondent/state and after hearing both side, this court delivered the following:

ORDER

This petition is filed U/s. 483 of BNSS to grant bail for the offences U/s.191(2), 296(b), 115(2), 133 of BNS and Sec.3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Act 2015 in Cr.No.80/2026 of Eriyur Police Station.

2. The case of the prosecution is that on 30.04.2026, at bout 8.30 a.m., when

the defacto complainant and her relatives were standing near the bus stop, the accused A1 & A5 came in a two wheeler bearing Regn.No.TN-29-CH-2063 in rash and negligence driving and driven about to hit the small child and when the complainant and others enquired about the same and seized the key of said two wheeler by complainant's husband, the accused A6 came and got the key and while A1 was leaving he threatened them and further, at about 3.30 p.m., the accused A1 to A7 came to complainant's house and picked up with a quarrel and A1 has abused the complainant in filthy language by calling caste name and A2 has assaulted her with chappal and pulled her blouse and A1, A4 have assaulted her and when complainant's sister attempted to prevent the quarrel, the accused have abused her in filthy language and A4, A5 and A6 have assaulted her with hands and A2 has torn her night. Hence, the complaint.

3. According to the petitioners (A1, A3 to A6), they did not commit any offence and due to prior enmity a false case foisted against them and they are having sufficient properties and permanent residence and they are ready to comply any conditions and produce sufficient sureties and there is case in counter and they have been in judicial custody for the past 33 days and this is 3rd petition. As such, it was prayed to release them on bail.

4. The learned Special Public Prosecutor submitted that the accused have abused the complainant and her sister in filthy language by using calling caste name and assaulted them and injured persons were discharged from the hospital and co-accused absconding and if bail granted to the petitioners, they may commit the same offence and cause disturbance to the investigation. As such, the learned Special

Public Prosecutor raised strong objections.

5. On notice, the defacto complainant Latha appeared before the court and raised her oral objection and she reiterated the averments made in original complainant and further stated that the accused have abused her by calling caste name in public view and threatened to face dire consequences. Hence, she is having objection to release the petitioners.

6. The learned counsel Thiru. A. Vadivelan has filed objection petition in Cr.MP.No.607/2026 on 01.06.2026 and raised objections to grant bail to the petitioner. The learned counsel for the defacto complainant contended that the victim belongs to SC Community of Periyar Nagar, Sidumanahalli village, in which the predominant residents are Vanniyar and Okkaliyar communities. On 30.04.2026, at about 8.00 a.m., when the complainant and his son were proceeding on the public road, the accused Muthaiyan & Jeevadandam came in a two wheeler in rash and negligent manner and drove like to hit them at that time the child Adhiselvan sustain burn injury due to bike silencer. When the complainant enquired about the same, the accused have picked up with a quarrel and abused them in filthy language by saying “குழந்தைகள் மேலேயோ கிழவனுங்க மேலேயோ வட்டாதான் கேட்கணும். இப்ப என்ன செத்தா போயிட்டாங்க, இது உங்க உப்பன் ஊட்டு ரோடா. நீங்க என்னடி பறையனுங்க, பிச்சைக்கார பசங்க, எங்க கிட்ட நீங்க யாரு நியாயம் கேக்குறதுக்கு, செஹ்துக்கு, உங்களுக்கு என்னடா தகுதி இருக்கு, பற கூதி தேவிடியா உங்களை ஒருத்தர விடாம வந்து கழுத்த அறுத்து போட்டு விடுவோம்.” During the occurrence, the bike was taken, the a person came and admitted the fact and requested the bike key. After receipt of bike key, the accused have caused threat that they come at 4.00 p.m., to kill. On the same

day, at about 3.30 p.m., when the complainant and daughter were in their house, the accused and 30 others came there and picked up with a quarrel with complainant and abused her in filthy language by calling caste name in the public place and have assaulted the complainant and her daughter and the accused have removed the saree of complainant and caused harassment and further, the accused have damaged the soil stove, chair, pot and the accused have torn the dress of one Divya and assaulted them and they have caused criminal intimidation and the A2 & A7 are still absconding. As such, he raised strong objection to grant bail to the petitioner.

7. Heard both side. Perused the records. The FIR was registered as against the petitioners and others U/s.191(2), 296(b), 115(2), 133 of BNS and Sec.3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Act 2015. The occurrence was said to have taken place on 30.04.2026. The FIR was registered on 01.05.2026. The accused (A1, A3 to A6) were arrested and remanded on 01.05.2026. The accused are alleged to have abused the complainant and her sister and alleged to have insulted them by calling his caste name and allegedly assaulted them. Furthermore, the accused are alleged to have damaged the house hold articles of complainant.

8. The occurrence has arisen out of an intention to insult a member of SC/ST community. The defacto complainant/victim appeared before the court and raised her objection that the accused had caused criminal intimidation and abused them by calling caste name in the presence of public.

9. The learned counsel for the petitioners has stated that the allegations contained in the complainant are highly exaggerated and motivated by prior enmity and personal vengeance. In fact, the occurrence arose out of a sudden wordy

altercation regarding the seizure of vehicle key belonging to A1, and the case has been falsely projected as though the petitioners intentionally committed caste base abuse. Absolutely no caste related word were uttered in public view as falsely alleged in the complaint. There is a case in counter in Cr.No.81/2026 of Eriyur PS. Moreover, the 1st and 4th petitioners are college going students. As such he prayed for grant of bail to the petitioners.

10. The learned counsel for the defacto complainant has stated that the material objects viz., nighty, damaged chair, soil stove, pot were not added and investigation not conducted who came in 30 and above two wheelers. Even if the court is inclined to grant bail to the petitioner, stringent condition may be imposed.

11. The learned Spl. Public prosecutor has stated that the injured persons were discharged form the hospital.

12. The petitioners A1 & A4 are stated to be the college students. The injured persons were discharged from the hospital. The Spl. public prosecutor has not raised any serious objection.

13. The petitioners are in judicial custody for the past 33 days. By this time, material part of investigation might have been completed. In the above said circumstances, considering the nature of offence, period of judicial custody, this court is inclined to grant bail to the petitioners with certain conditions. Accordingly, the objection petition filed by the counsel for defacto complainant in Cr.MP.No.607/2026 is dismissed.

14.(a) The petitioners are ordered to be released on bail on executing a bond for a sum of Rs.10,000/- each (Rupees Ten Thousand Only) along with two sureties

each for the like sum to the satisfaction of the Principal Sessions Judge, Dharmapuri.

(b) (i) While executing the bond, the sureties shall furnish proof of identity and the sureties shall affix their photographs and left thumb impression in the surety bonds and the this court shall obtain a copy of their Aadhaar Card or Voter ID or Driving License or Bank Pass Book to ensure their identity to the satisfaction of the Principal Sessions Judge, Dharmapuri.

(ii) **The petitioners shall appear and sign before the respondent/police daily once at 10.00 a.m. for the period of 30 days.**

(c) The petitioners shall not influence, threaten or coerce the witness either during investigation or trial.

(d) The petitioners shall not abscond either during investigation or trial.

(e) On breach of any of the aforesaid conditions, the Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the Trial Court himself as laid down by the **Hon'ble Supreme Court in P.K. Shaji /Vs/ State of Kerala [(2005) AIR SCW 5560]; and**

(f) If the accused thereafter abscond, a fresh FIR can be registered U/s.269 of BNS.

Pronounced by me in Open Court this the 2nd day of June 2026.

**Principal District Judge,
Dharmapuri.**

Copy to :-

1. The Inspector of Police, Eriyur P.S.,
2. Tr.C.Palanisamy, Advocate, Dharmapuri.