

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, KRISHNAGIRI.

Present: Tmt.V.R.Latha, M.A., B.L.,

Principal Sessions Judge, Krishnagiri

Thursday, the 12th day of March 2026

CRIMINAL MISCELLANEOUS PETITION NO.869 / 2026

1.Vijayakumar

...Petitioner/Accused

/ Versus /

State: The Inspector of police,

Berigai P.S,Cr.No:36/2026.

...Respondent/Complainant

This petition has come up today before this court in the presence of Tr.C.Chandhirasekar, Counsel for the petitioner and Tr.M.Ramesh, Special Public Prosecutor for the respondent, after perusing the petition averments, upon hearing both side arguments, this Court pronounces the following:

ORDER

This petition has been filed by the petitioners/accused U/S. 483 of BNSS Act, seeking bail. Petitioner was arrested and remanded to judicial custody on 08.03.2026 for the alleged offence U/S. 194 of BNSS Act @ 108 of BNS Act and Sec 3(2)(v) of SC/ST (POA) Act.

2]The learned counsel appearing for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution.It is further submit that the petitioner had no financial transaction or contact with the deceased Guna as alleged by

the prosecution. On the contrary, it was the complainant Santhappa, father of the deceased, who had borrowed a sum of Rs.25,000/- from the petitioner on 16.09.2025 for his urgent family needs and for the said transaction the complainant had executed a promissory note in favour of the petitioner. The learned counsel would further submit that the deceased Guna committed suicide on 03.03.2026 due to personal issues between himself and his wife Jyothika, and the same fact has also been mentioned in the complaint dated 03.03.2026. It is further submit that there is an ongoing dispute between the petitioner and one Rajendran, the Village Panchayat President, and his son Prasanna, with regard to a land dispute. In connection with the said dispute, the said Prasanna had earlier assaulted the petitioner's father Oovappa and family members, which resulted in the registration of cases in Crime Nos.220/2021 and 221/2021 on the file of Berigai Police Station.

3] The learned counsel would further submit that the said Rajendran and his son have been attempting to acquire the land situated in front of the petitioner's house in order to create a road for access to their land, which is proposed to be developed as a layout, and the petitioner had objected to the same and submitted petitions before the Sub-Collector, Hosur and the District Collector. It is further submit that due to the said dispute, the complainant attempted to extort a sum of Rs.10,00,000/- and 5 cents of land from the petitioner, and when the petitioner refused the same, the present case has been falsely foisted against the petitioner under political influence, and the section of law was later altered to Section 108 of BNS. The learned counsel would submit that the respondent police, without proper investigation and under political influence, have

falsely implicated the petitioner in the present case. The Petitioner is in judicial custody for the past 05 days. The petitioner has permanent residence, he will not abscond, and he is ready to appear before the police as and when required for investigation. The petitioner is also ready to abide by any conditions that may be imposed by this Hon'ble Court. Therefore, the learned counsel prayed that this Hon'ble Court may be pleased to enlarge the petitioner on bail.

4] On the other hand, the learned Special Public prosecutor vehemently opposed to grant bail to the petitioner by stating that he case has been registered in Crime No.36 of 2026 on the file of Berigai Police Station. Initially, the case was registered under Section 194 of BNSS based on the complaint given by the defacto complainant. Subsequently, during the course of investigation, it came to light that the deceased Guna had borrowed money from the petitioner on high interest, and due to the harassment caused by the petitioner demanding repayment of the loan amount, the deceased was subjected to severe mental distress. It is further submit that the deceased had borrowed Rs.20,000/- and Rs.10,000/- from the petitioner, and the petitioner had deducted advance interest and imposed weekly repayment conditions. As the deceased was unable to repay the loan amount due to lack of employment, the petitioner had visited the house of the deceased on 02.03.2026 and abused and threatened him demanding repayment of the loan amount, stating that if the amount was not repaid he would publicly shame the deceased and ruin his dignity. Due to the said harassment and threat made by the petitioner, the deceased was mentally disturbed and committed

suicide on the next day. In this case, investigation is at an initial stage. At this stage, if the petitioner is released on bail, it will affect the investigation. Accordingly, the learned Special Public prosecutor opposed for grant of bail to the petitioner.

5] Due notice U/s.15-A has been served to the defacto complainant namely Santhappa. Today, the defacto complainant namely Santhappa has appeared before this Court and submitted that the petitioner had allegedly threatened the deceased on the previous day of the occurrence demanding repayment of the loan amount, and due to such threat and harassment the deceased was driven to commit suicide. The defacto complainant further submitted that if the petitioner is released on bail, there is a reasonable apprehension that the petitioner may threaten and intimidate the complainant and other family members and may also influence the witnesses connected with the case. It is also submitted that the complainant and his family members are living in the same locality and therefore they are having serious apprehension for their safety and life. Hence, the defacto complainant strongly objected to the grant of bail to the petitioner.

6] Heard both sides and perused the materials available on record.

7] Considering the facts and circumstances of the case, the submissions made by the learned counsels on either side and considering the gravity of the offence alleged, the stage of investigation, the specific allegation of harassment made against the petitioner immediately prior to the occurrence, and the apprehension expressed by the defacto complainant regarding threat and intimidation, this Court is of the view that this is not a fit case to grant bail to the petitioner at this stage. If the petitioner is enlarged on bail, there is every possibility of the petitioner influencing the witnesses

and interfering with the ongoing investigation. Therefore, this Court is not inclined to grant bail to the petitioner at this stage.

In the result, this petition is dismissed

Pronounced by me in the Open Court on this, the 12th day of March 2026.

Principal District Judge,
Krishnagiri.

Copy To:

- 1) The Special Public prosecutor, Principal District Court, Krishnagiri.
- 2) The Inspector of police, Berigai PS,
- 3) Tr.C.Chandhirasekar, Advocate, Krishnagiri.