

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, KRISHNAGIRI.**Present: Tmt.V.R.Latha, M.A., B.L.,****Principal Sessions Judge, Krishnagiri**Monday, the 16th day of March 2026**CRIMINAL MISCELLANEOUS PETITION NO.892/ 2026.**

1.Sarathi

... Petitioner/ Accused

/Versus/

State: The Inspector of Police,

KRP Dam P.S., Cr.No: 31/2026

...Respondent/Complainant

This petition has come up today before this court in the presence of Tr.J.Jayakumar, Counsel for the petitioner and Tr.M.Visva Bharathi, Public Prosecutor for the respondent police, after hearing both sides, perusing the averments, this Court delivered 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. 296(b), 118(1), 351(3) of BNS Act and Sec 4 of Women Harassment Act..

2] The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The learned counsel for the petitioner further contended that the alleged occurrence took place during a marriage function and due to prior acquaintance and love affair between the petitioner and the complainant's granddaughter, a quarrel arose between the parties. Due to that the defacto complainant gave a false complainant against the petitioner with false allegations and the

respondent/police has falsely implicated the petitioner in this case. The petitioner is in judicial custody for the past 09 days. It is further submitted that counter case was also filed against the defacto complainant. The petitioner is a law abiding citizen and he is only breadwinner of his family and he is ready to abide the condition if any to be imposed by this court. Accordingly, the learned counsel for the petitioner has prayed to release the petitioner on bail.

3] On the other hand, the learned Public prosecutor vehemently opposed to grant bail to the petitioner by stating that on the occurrence date, the petitioner went to the marriage function armed with a knife, abused the complainant and his family members in filthy language, outraged the modesty of a female relative of the complainant, assaulted them and threatened them with a dire consequences and committed the alleged offence. The learned Public prosecutor further submitted that the victim person was not hospitalized and was treated only as an outpatient. Hence, the learned Public prosecutor strongly opposed to grant bail to the petitioner and further submitted that except the present case, no previous case is pending against the petitioner.

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

5] Considering the facts and circumstances of the case, the submissions made by the learned counsels on either side and considering the period of incarceration undergone by the petitioner, absence of previous antecedents and the fact that the victim person was not hospitalized and was treated only as an outpatient. Hence, this Court is inclined to grant bail to the petitioner subject to the following conditions:

(a) In the result, this petition is allowed and the petitioner is hereby ordered to

be released on bail on his executing a bond for a sum of Rs.10,000/- with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate, No-II, Krishnagiri.

(b) The sureties shall affix their photographs and left Thumb impression in the surety bond and the learned Judicial Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity.

(c) Further, the petitioner shall make himself available for interrogation as and when required by the investigation officer.

(d) The petitioner shall appear and sign before the respondent police station daily at 9.00 A.M, Until further orders. The condition which is being imposed to be complied without any deviation. No further application will be entertained for a period of 30 days.

(e) The petitioner shall not abscond during trial and shall not tamper with witness/evidence.

(f) On breach of any of the aforesaid conditions, the learned Judicial Magistrate, is entitled to take appropriate action against the petitioner in accordance with law as if the conditions are imposed by the above said Magistrate and the petitioner is released on bail by the trial Court itself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs.State of Kerala (2005 AIR SCW 5560). If the accused thereafter absconds, a fresh F.I.R can be registered u/sec.269 of BNS Act, With the above directions, this petition is allowed.

Pronounced by me in the Open Court on this, the 16th day of March 2026.

Principal Sessions Judge,
Krishnagiri.

- Copy To:
- 1) The Judicial Magistrate, No-II, Krishnagiri.
 - 2) The Public prosecutor, Principal District Court, Krishnagiri.
 - 3) The Inspector of police, KRP Dam P.S.
 - 4) Tr.J.Jayakumar, Advocate, Krishnagiri.