

IN THE COURT OF THE DISTRICT AND SESSIONS JUDGE, KARUR

PRESENT : Thiru.K.H.Elavazhagan, B.Sc., M.L.,

District and Sessions Judge.

Wednesday, the 01st day of April 2026

CrI.M.P.No.357/2026

CNR.No:TNKR-01-000916-2026

1. K. Dhinesh

S/o.Kumar

2. K. Vignesh

S/o.Kumar

..Petitioners/accused

/Vs/

The State represented by,

The Inspector of police,

Mayanoor P.S.,

Cr.No.106/2026

..Respondent/Complainant.

This is a petition filed by the petitioners u/s.483 of BNSS., seeking bail.

This petition coming on for final hearing before me today in the presence of Thiru.T.Tharmaraj, advocate for the petitioners and of Thiru. N. Senthilkumar, Public Prosecutor appearing for the state and upon hearing the arguments of both sides and having stood over for consideration till this day, this Court has passed the following.

O R D E R

Heard both sides.

The petitioners/accused are seeking bail for the offences alleged to have been committed by them u/s.296(b), 115(2), 118(1) and 109 of BNS Act r/w.Sec.4 of Tamil Nadu Prohibition of Harassment of Women Act concerned in Cr.No.106/2026 of Mayanoor P.S.,

The learned counsel for the petitioners/accused submits that in fact these petitioners are no way connected with the alleged offence and they have been falsely implicated in this case. These petitioners are in judicial custody since 18.03.2026. He prays to release them on bail.

The learned Public Prosecutor submits that there are totally two accused in this case and the petitioners are the accused 1 and 2. He states that the defacto complainant is the wife of the injured Raja. He states that there already exist a civil dispute between the petitioners and the family of the defacto complainant. In this circumstances, on 17.03.2026, when the husband and father-in-law of the defacto complainant were standing near their house, the accused came there and scolded the husband and father-in-law of the defacto complainant with filthy language and the 1st accused has assaulted the husband of the defacto complainant with billhook on his head and caused grievous injuries. Further, the 2nd accused has also assaulted the mother-in-law of the defacto complainant with stone and

caused injuries. The injured has been discharged from the hospital. No previous case is pending against the petitioners. He states that the investigation in this case is pending and if the petitioners are released on bail, it would cause prejudice to the further course of the investigation and hence, he objected to release them on bail.

It is seen that the the 1st accused has assaulted the husband of the defacto complainant with billhook on his head and caused grievous injuries. Further, the 2nd accused has also assaulted the mother-in-law of the defacto complainant with stone and caused injuries. The injured has been discharged from the hospital.

Considering the facts and circumstances of the case, the nature of the offence, weapon used by the 1st petitioner/ 1st accused and the investigation is pending, I am of the view that granting bail to the 1st petitioner/ 1st accused would affect the further course of the investigation and hence, I am not inclined to allow this petition as against the 1st petitioner/ 1st accused.

Considering the facts and circumstances of the case, the nature of the offence, the injured has been discharged from the hospital and the period of incarceration of the 2nd petitioner/ 2nd accused, I am inclined to allow this petition as against the 2nd petitioner/ 2nd accused.

In the result, the 2nd petitioner/ 2nd accused is ordered to be released on bail on his executing 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 District Munsif-cum-Judicial Magistrate, Krishnarayapuram on further condition that;

(a) the 2nd petitioner/ 2nd accused shall sign before the respondent/police daily at 10.00 a.m., and 6.00 p.m., for about 15 days,

(b) the 2nd petitioner/ 2nd accused shall not tamper with evidence or witness either during investigation or trial,

(c) the 2nd petitioner/ 2nd accused shall not abscond either during investigation or trial,

(d) on breach of any of the aforesaid conditions, the learned 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].

(e)If the accused thereafter abscond, a fresh FIR can be registered under section 269 of BNS Act.

Accordingly, this petition is dismissed as against the 1st petitioner/ 1st accused and allowed on conditions as against the 2nd petitioner/ 2nd accused.

Pronounced by me in Open Court on this the 01st day of April 2026.

DISTRICT & SESSIONS JUDGE,
KARUR.

To

The Petitioner through counsel.

The District Munsif-cum-Judicial Magistrate, Krishnarayapuram.

Respondent through Public Prosecutor.