

TNMD010012342026



In the Court of the Principal Sessions Judge, Madurai.

Present : Thiru. S. SIVAKADATCHAM, B.Sc., M.L.,

Principal Sessions Judge, Madurai.

Saturday, this the 7<sup>th</sup> day of March, 2026.

CrI.M.P.No.784/2026

CNR No.TNMD010012342026

Dhambu @ Dhaswin Kumar, S/o.Arumugam

... Petitioner/Accused.

Vs

State through the Inspector of Police,

Koodal Pudur P.S. in Cr.No.983/2025

... Respondent/Complainant.

This e-petition coming on today for hearing before me in the presence of Ms.P.Rajeswari, Advocate for the petitioner and of Public Prosecutor for the State, this court passed the following:

**Order**

1. Anticipatory Bail application u/s 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).

2. Heard both sides.

3. The learned counsel for the petitioner/accused would submit that this is the 3<sup>rd</sup> petition and that the respondent police has registered a case against the petitioner and others in Crime No.983/2025 for the offences u/s 191(2), 191(3), 296(b), 115(2), 118(1), 351(3) of BNS @ 109 of BNS. The petitioner is a college student, he is innocent and he has not committed any offence as alleged. Due to previous enmity, the present false complaint has been lodged. Injured discharged from hospital. Investigation is almost over. Co-accused were granted bail by this court. Custodial interrogation of petitioner is not necessary. The petitioner has not filed similar petition before the Hon'ble Madurai Bench of Madras High Court or any other court. The petitioner apprehends arrest at the hands of police and he is ready to abide by any conditions that would be imposed by this court and prayed to allow the petition.

4. The learned Public Prosecutor submitted that totally there are 6 accused in this case and the petitioner is A1. As per the case of the prosecution, there existed enmity between the defacto-complainant and the accused and that complaints are pending against each other. As a result, on 28.11.2025 at 07.00 p.m., the accused persons asked the defacto-complainant and his friends to come for a compromise and accordingly, the defacto-complainant, his friends viz. Monishkumar and Naresh Adhithya have gone to Mandhai at Old Vilangudi. There, all the accused persons armed with deadly weapons, have assembled. On seeing them, the defacto-complainant ran away from the place of occurrence, but his friends got stuck. The accused have abused them in vulgar words and assaulted them by their hands and with helmet and knife and caused grievous injuries to them. They have also criminally intimidated them with dire consequences and fled the scene of occurrence. Hence, the complaint. Two persons sustained injuries in this occurrence. Injured discharged from hospital on 03.01.2026. This court granted bail to A2 to A4 on 07.01.2026. Investigation is pending and objected to grant anticipatory bail to the petitioner.

5. Rival contentions are taken into consideration. The alleged offences against the petitioner/accused are u/s 191(2), 191(3), 296(b), 115(2), 118(1), 351(3) of BNS @ 109 of BNS. The occurrence is said to have taken place on 28.11.2025. Injured discharged from hospital on 03.01.2026. It is the case of petitioner/accused that the petitioner is a college student, already co-accused were granted bail by this court, injured discharged from hospital and that investigation is almost over and custodial interrogation of petitioner is not necessary. Per contra, the learned Public Prosecutor strongly objected stating that the petitioner assaulted the injured Monikumar with knife, for which he took treatment as in-patient for 6 days. Admittedly, this court granted bail to co-accused considering their duress period. Whereas, the petitioner is seeking anticipatory bail and he cannot claim parity with co-accused. As per prosecution, custodial interrogation of the petitioner is very much essential. Investigation is not yet completed. It seems that if the petitioner is

granted anticipatory bail, it will be difficult to secure him. Considering all these aspects, the nature of offences, the specific overt act attributed against the petitioner and the strong objections raised on the side of prosecution, this court is not inclined to grant anticipatory bail to the petitioner at this stage, accordingly, the petition is liable to be dismissed.

In the result, the petition is dismissed.

Pronounced by me in the Open Court on the 7<sup>th</sup> day of March, 2026.

Principal Sessions Judge,  
Madurai

**Copy to :** The J.M.No.4. Madurai.