

TNMD010015152026



In the Court of the Principal Sessions Judge, Madurai.

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

Principal Sessions Judge, Madurai.

Saturday, this the 7th day of March, 2026.

CrI.M.P.No.967/2026

CNR No.TNMD010015152026

1. Selvakumar, S/o.Lakshmanan

2. Lakshmanan, S/o.Vadivel

... Petitioners/Accused.

Vs

State through the Inspector of Police,

Thirumangalam Taluk P.S. in Cr.No.39/2026

... Respondent/Complainant.

This e-petition coming on today for hearing before me in the presence of Thiru.D.Manikandan, Advocate for the petitioners and of Public Prosecutor for the State, this court passed the following:

Order

1.Anticipatory bail application 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).

2. Heard both sides.

3. The learned counsel for the petitioners/accused submitted that he not-pressed the petition in respect of 2nd petitioner and argued for the 1st petitioner alone and filed a Memo to that effect. Hence, the petition in respect of 2nd petitioner is dismissed as not-pressed.

4. The learned counsel for the petitioner/accused would submit that the respondent has registered a case against the petitioner and others in Cr.No.39/2026 for the offences u/s 191(2), 191(3), 296(b), 132, 118(1), 109 and 351(3) of BNS. The petitioner is innocent and he has not committed any offences as alleged. The petitioner/A38 is the brother of A39, who is a practicing Advocate. The root cause for the occurrence is only the police personnel and they have falsely implicated the petitioner and others in this case. One viz. Rajavadivu, S/o Paulsamy is shown as A18, who died on 04.02.2026 itself. Some of the accused are not at all available at the place of occurrence. Whereas, they were in Chennai and Avaniyapuram at the

time of occurrence. But the respondent police falsely implicated all the accused, whose native place is Alampatti. In fact, the petitioner was in Chennai on the alleged date of occurrence in respect of a cinema shooting. But he is falsely roped into this case. Injured discharged from hospital. Co-accused were granted bail / anticipatory bail by the Hon'ble Madurai Bench of Madras High Court / this court. 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.

5. The learned Public Prosecutor submitted that totally there are 40 named accused and others involved in this case. As per the case of the prosecution, the defacto-complainant is the Gr.II Constable of Thirumangalam Taluk P.S. There was enmity between two groups in Alampatti village with regard to common property. Hence, the defacto-complainant and other polices were appointed for picketing duty in the village. On 19.02.2026, when the defacto-complainant along with other Constables was on duty, there was a marriage function held at Alampatti village and some community people conducted procession in the street with Seer articles. After they left the place, another community people cleaned the said place with water. When the defacto-complainant and other polices asked about the same, they have told that the above people belongs to Scheduled Community and hence they cleaned the place. In the meantime, both community people pelted stones and wooden logs against each other. One of the stones fell on the defacto-complainant and he sustained injury in his left leg. The defacto-complainant raised alarm, on hearing the same, another accused attempted to assault him with iron rod and also criminally intimidated the defacto-complainant and other police personnel. Hence, the complaint. Injured discharged from the hospital on 21.02.2026. The occurrence took place, in continuation of enmity between the two rival groups. Co-accused were granted bail / anticipatory bail by the Hon'ble Madurai Bench of Madras High Court / this court. However, police picketing is still going on. Investigation is pending and objected to grant anticipatory bail to the petitioner.

6. Rival contentions are taken into consideration. The alleged offences against the petitioner/accused are u/s 191(2), 191(3), 296(b), 132, 118(1), 109 and 351(3) of BNS.

7. It is the case of petitioner/accused that the root cause for the occurrence is only the police personnel, that they have falsely implicated the petitioner and others in this case, that the petitioner/A38 is the brother of A39, who is a practicing Advocate, that one viz. Rajavadivu, S/o Paulsamy is shown as A18, who died on 04.02.2026 itself, that some of the accused are not at all available at the place of occurrence, whereas, they were in Chennai and Avaniyapuram at the time of occurrence, but the respondent police falsely implicated all the accused, whose native place is Alampatti, that the petitioner was in Chennai in respect of a cinema shooting, but he is also arrayed as accused and that co-accused were granted anticipatory bail by the Hon'ble Madurai Bench of Madras High Court / this court, that injured discharged from hospital and prayed to allow the petition.

8. Per contra, the learned Public Prosecutor strongly objected stating that while the defacto-complainant, who is Grade-II Police and other police personnel were on picketing at Alampatti in view of the temple festival on 19.02.2026 and discharging their duty, two communities of people attacked each other and the police personnel pacified them, but they were assaulted by them, hence the present case has been registered. The learned Public Prosecutor denied the arguments in respect of the availability of petitioner in Chennai on the date of occurrence and he further stated that the petitioner was present at the place of occurrence and proof is available with them and that investigation is going on. It is further contended that injured discharged from hospital, that A2, A4, A5, A7, A8, A9, A11 to A16, A20 were granted anticipatory bail by the Hon'ble Madurai Bench of Madras High Court as per order in CrI.OP(MD)No.4559//2026 and A6 was granted anticipatory bail as per order in CrI.OP(MD)No.4138/2026 and that A39 was granted anticipatory bail by this court as per order in Cr.M.P.No.934/2026 dated 04.03.2026 and that A3, A10, A19, A30, A64 to A68 are enlarged on bail by this court as per order in Cr.M.P.Nos.957, 1012 & 1017/2026 dated 06.03.2026. However, still

tension is prevailing there, 25 police personnel are deployed to maintain law and order in the village and strongly objected to allow the petition.

9. The occurrence is said to have taken place on 19.02.2026. Injured discharged from hospital on 21.02.2026. The Hon'ble Madurai Bench of Madras High Court already granted anticipatory bail to A2, A4, A5, A7, A8, A9, A11 to A16, A20 as per order in CrI.OP(MD)No.4559/2026 and to A6 as per order in CrI.OP(MD)No.4138/2026. This court granted anticipatory bail to A39 as per order in Cr.M.P.No.934/2026 dated 04.03.2026 and bail to A3, A10, A19, A30, A64 to A68 as per order in Cr.M.P.Nos.957, 1012 & 1017/2026 dated 06.03.2026. However, till date, tension is prevailing in the concerned village and 25 police pickets are deployed to maintain law and order. The petitioner herein is seeking anticipatory bail. The petitioner is said to have committed offences against the law enforcing authority, which cannot be taken lightly. The learned Public Prosecutor strongly objected stating that in view of the seriousness of offences, custodial interrogation of petitioner is very much essential. Investigation is pending. Hence, considering the nature of offences, the present situation prevailing in the concerned village, that still police picketing is going on and the strong objections placed on the side of prosecution, this court is not inclined to grant anticipatory bail to the petitioner at this stage and accordingly, the petition is liable to be dismissed.

In the result, the petition is dismissed in respect of 1st petitioner. The petition is dismissed as not-pressed in respect of 2nd petitioner.

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

Principal Sessions Judge,
Madurai

Copy to

1. The J.M.Thirumangalam.
2. The Inspector of Police, Thirumangalam Taluk P.S.
3. The Petitioners through their counsels.