

TNMD010018132026



In the Court of the Principal Sessions Judge, Madurai.

Present : **Thiru. S. SHUNMUGAVEL B.A., B.L.,**

( II Additional District Judge (CBI Cases) , Madurai )

Principal Sessions Judge (i/c), Madurai.

( Authorised U/s.8(8) of BNSS )

Monday, this the 16<sup>th</sup> day of March, 2026.

CrI.M.P.No.1097/2026

CNR No.TNMD010018132026

Muthu Kumar, S/o.Selvam

... Petitioner/Accused.

Vs

State through the Inspector of Police,

T.Kallupatti P.S. in Cr.No.30/2026

... Respondent/Complainant.

This petition coming on today for hearing before me in the presence of Thiru.C.Marimuthu, Advocate for the petitioner and of Public Prosecutor for the state, this court passed the following:

**Order**

1. Bail application u/s 483 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 2<sup>nd</sup> petition and that the respondent police has registered a case in Crime No.30/2026 for the offences u/s 296(b), 333, & 109 of BNS against the petitioner. The respondent police arrested the petitioner and remanded to judicial custody on 11.02.2026 and is in custody for the past 24 days. The petitioner is innocent and he has not committed any offences as alleged. The defacto-complainant sustained injuries during the temple festival. But, due to previous enmity, the present false complaint is lodged as if the petitioner assaulted him. Injured discharged from hospital. Investigation is almost over. The petitioner has not filed similar petition before the Hon'ble Madurai Bench of Madras High Court or any other court. The petitioner 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 it is a case of single accused, who is the petitioner herein. As per the case of the prosecution, prior to the occurrence, the petitioner misbehaved with the daughter of defacto-complainant and a case under POCSO Act is pending before court in trial stage. While so, on 10.02.2026 at 08.00 a.m., when the

defacto-complainant was at his house, the petitioner criminally trespassed into the defacto-complainant's house, abused him in vulgar words and assaulted him with Aruval and caused injuries at his right hand and left wrist and fled the scene of occurrence. Hence the complaint. Injured discharged from hospital on 11.02.2026. The petitioner is involved in 2 previous cases, out of which, one case is under POCSO Act. Investigation is pending and objected to grant bail to the petitioner.

5. Rival contentions are taken into consideration. The alleged offences against the petitioner/accused are u/s 296(b), 333, & 109 of BNS. The occurrence is said to have taken place on 10.02.2026. Injured discharged from hospital on 11.02.2026. It is the case of petitioner that it is false case, the petitioner sustained injuries in some other incident that took place during temple festival, but due to previous enmity, he is falsely implicated in this case. Per contra, the learned Public Prosecutor strongly objected stating that since the petitioner misbehaved with the daughter of defacto-complainant, a complaint was given and a case under POCSO Act is pending before court in trial stage, at this stage, the present occurrence has taken place. It is further contended that evidence has not been recorded so far in the said POCSO case against the petitioner/accused and that if the petitioner is released on bail, he will again threaten the defacto-complainant and tamper the evidence. Considering the above facts and the strong objections placed on the side of prosecution, this court is not inclined to grant 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 16<sup>th</sup> day of March, 2026.

Principal Sessions Judge (i/c),  
Madurai

**Copy to :** The J.M.Peraiyur.