

TNMD010018782026



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 16th day of March, 2026.

CrI.M.P.No.1165/2026

CNR No.TNMD010018782026

1. Gunasekaran, S/o. Deivendran.
 2. Saraswathi, W/o. Gunasekaran.
 3. Gnanasekaran, S/o. Deivendran.
 4. Krishnammal, W/o. Deivendran
- ... Petitioner/Accused.

Vs

State through the Inspector of Police,

Uthappanaickanoor P.S. in Cr.No.29/2026

... Respondent/Complainant.

This e-petition coming on today for hearing before me in the presence of Thiru.M.Kubendiran, Advocate for the petitioners 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.

3. The learned counsel for the petitioners/A1 to A4 would submit that he wants to not press the petition in respect of the 4th petitioner and he filed memo to that effect. He argued in respect of other petitioners. In view of the memo filed on the side of petitioners, the petition against the 4th petitioner is dismissed as not pressed.

3. The learned counsel for the petitioners/A1 to A3 would submit that the respondent police has registered a case against the petitioners and others in Cr.No.29/2026 for the offences u/s. 191(2), 296(b), 115(2), 303(2)(NP) and 351(2) of BNS. The alleged occurrence is said to have taken place on 23.02.2026. The

petitioners are innocent and they have not committed any offences as alleged by the prosecution. Injured discharged from the hospital. Counter case is pending in Cr.No.27/2026. Investigation is almost over. The petitioners have not filed similar petition before the Hon'ble Madurai Bench of Madras High Court or any other court. The petitioners apprehend arrest at the hands of police. The petitioners are ready to abide by any conditions that would be imposed by this Court and prayed to allow the petitions.

4. The learned Public Prosecutor submitted that totally there are 6 accused involved in this case and the petitioners are arrayed as A1 to A3. As per the case of the prosecution, due to civil dispute, on 23.02.2026 at 7.45 a.m., all the accused persons abused the defacto-complainant in filthy words and assaulted him by hands, when the defacto-complainant's daughter captured the occurrence in her mobile phone as video, A6 assaulted her with wooden log and snatched her mobile phone and all the accused persons criminally intimidated them. Hence, the case. Injured discharged from the hospital. Investigation is pending and strongly objected to grant anticipatory bail to the petitioners.

5. Rival contentions are taken into consideration. The alleged offences against the petitioner are U/s. 191(2), 296(b), 115(2), 303(2)(NP) and 351(2) of BNS. The alleged occurrence is said to have taken place on 23.02.2026. Injured discharged from the hospital. Counter case is pending in Cr.No.27/2026. Material part of investigation has been completed. Considering the above said facts, the discharge of injured and the facts and circumstances of this case, this court is inclined to grant anticipatory bail to the petitioners 1 to 3 on conditions.

In the result in the event of arrest or on their surrendering before the Court concerned **the petitioners 1 to 3** are ordered to be released on anticipatory bail on their executing a bond for a sum of Rs.10,000/- each with two sureties each for a likesum to the satisfaction of Judicial Magistrate No.II, Usilampatti subject to the following conditions:-

(i) The petitioners 1 to 3 shall surrender before the Court concerned within 15 days from today without fail.

(ii) The petitioners 1 to 3 shall appear and sign before the Inspector of police, respondent police station **daily at 10.00 a.m. until further orders.**

(iii) The petitioners 1 to 3 shall co-operate with the investigation and they shall not threaten the witnesses. They shall not induce witnesses and they shall not cause hindrance to the pending investigation.

If there is any violation of condition, the Investigation officer is within his discretion to approach the Court of the learned Judicial Magistrate concerned for cancellation of bail as per the ruling of the Hon'ble Supreme Court reported in **Shaji/Vs./ State of Kerala, (2005) AIR S.C.W. 5560.**

So far as the 4th petitioner is concerned, the petition is dismissed as not pressed.

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

Principal Sessions Judge (i/c),
Madurai

Copy to

1. The J.M.No.2. Usilampatti.
2. The Inspector of Police, Uthappanaickanoor P.S.
3. The Petitioners through their counsels.