

TNMD010018822026



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)

Tuesday, this the 17th day of March, 2026.

CrI.M.P.No.1168/2026

CNR No.TNMD010018822026

Andavar, S/o.Bose

... Petitioner/Accused.

Vs

State through the Inspector of Police,

Usilampatti Town P.S. in Cr.No.69/2026

... Respondent/Complainant.

This e-petition coming on today for hearing before me in the presence of Thiru.A.P.Gowthaman, 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 2nd petition and that the respondent police registered a case against the petitioner and others in Cr.No.69/2026 for the offences u/s 126(2), 296(b), 115(2), 118(2) & 351(3) of BNS. The petitioner is innocent and he has not committed any offences as alleged. Due to previous enmity, the present false complaint has been lodged. Injured discharged from hospital. Co-accused was granted anticipatory bail by 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 for grant of anticipatory bail to the petitioner.

4. The learned Public Prosecutor submitted that totally there are 2 named accused and one unnamed accused in this case and the petitioner is A1. As per the case of the prosecution, there existed enmity between A1 and the defacto-complainant. As a result, on 16.02.2026 at 12.50 p.m., when the defacto-complainant was coming near Vinayagar temple in their village, the accused persons have wrongfully restrained the defacto-complainant, abused him in vulgar words and assaulted him with iron rod at his head and kicked him brutally. On gathering of neighbours, they criminally intimidated the defacto-complainant with dire consequences and fled the scene of occurrence. Hence, the complaint. Injured discharged from hospital on 20.02.2026. The petitioner is involved 10 previous cases. 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 126(2), 296(b), 115(2), 118(2) & 351(3) of BNS. The occurrence is said to have taken place on 16.02.2026. Injured discharged from hospital on 20.02.2026. Material part of investigation ought to have been completed by this time. This court already granted anticipatory bail to A2 as per order in Cr.M.P.No.978/2026 dated 07.03.2026. This is the 2nd petition filed by the petitioner. This court dismissed the earlier bail application of petitioner on 07.03.2026. The respondent police has not taken any steps to arrest the petitioner. Considering all these aspects, the discharge of injured, the changed circumstances, the nature of offences and punishment for the same, this court is inclined to grant anticipatory bail to the petitioner on conditions.

In the result, in the event of arrest or on his surrendering before the Court concerned the petitioner is ordered to be released on anticipatory bail on his executing a bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of Judicial Magistrate No.I, Usilamaptti subject to the following conditions:-

(i) The petitioner shall surrender before the Court concerned within 15 days from today without fail.

(ii) The petitioner shall appear and sign before the Inspector of police, respondent police station **daily at 10.00 a.m. for a period of 15 days.**

(iii) The petitioner shall co-operate with the investigation and shall not threaten the witnesses. He shall not induce witnesses and shall not cause hindrance to the pending investigation.

(iv) 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.**

Pronounced by me in the Open Court on the 17th day of March, 2026.

Principal Sessions Judge (i/c),
Madurai

Copy to

1. The J.M.No.1. Usilampatti.
2. The Inspector of Police, Usilampatti Town P.S.
3. The Petitioner through his counsel.