

**IN THE COURT OF DISTRICT AND SESSIONS JUDGE,
MAYILADUTHURAI.**

Present: Tmt. R. Sathia Thara, M.A., M.L., Ph.D.,
District and Sessions Judge, Mayiladuthurai.

State of Tamil Nadu.

Tuesday, this the 09th day of June 2026

2057 Thiruvalluvar Aandu Parapava Varudam on 26th day of Vaikasi Thingal

CrI.M.P. No. 687/2026

Rajesh, S/o. Sekar

...Petitioner / accused

Vs

The State represented by the Sub Inspector of Police,
Perambur P.S in Cr. No. 214/2026

... Respondent/Complainant.

This bail petition was coming up on 09.06.2026 before me for hearing in the presence of Thiru. V.S. Prabakaran, the learned counsel for Petitioner/accused and Tmt. A. Aruna, the learned Junior Counsel for the Additional Public Prosecutor, on behalf of State and upon considering the submissions of both side and on perusal of entire available records and having stood over for consideration till this date, this court delivered the following:-

ORDER

This petition is filed under Section 483 of Bharathiya Nagarik Suraksha Sanhita (BNSS) - 2023 to grant bail to the petitioner / accused person who was remanded to Judicial Custody on 07.05.2026 for the offences alleged under sections 296(b), 118(1), 109(1), 351(3) of BNS. The respondent police has registered a case against the petitioner / accused person in Cr. No. 214/2026 of Station Perambur P.S, The complaint was received and FIR was registered on 06.05.2026.

Heard the learned counsel for the petitioner / accused person and the learned Junior Counsel for the Additional Public Prosecutor and perused the records.

On perusal of FIR, it is noted that the petitioner is the elder sister's son of the defacto complainant. The defacto complainant's husband frequently made quarrel with the defacto complainant under the influence of alcohol, so the defacto complainant left her house and stayed any other house in the same village and on the next day morning she returned to her house. On 06.05.2026 at 1.30 PM the petitioner came to the defacto complainant's house and made quarrel with her under the influence of alcohol, scolded her in filthy language, assaulted her using bamboo stick over various places of the body and criminally intimidated

her before leaving the place and therefore FIR was registered against the petitioner/accused under sections 296(b), 118(1), 109(1), 351(3) of BNS.

The Learned counsel for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 07.05.2026 and have been in custody for the past 32 days. The injured person discharged from the hospital. The petitioner never committed the offences alleged and the petitioner is having permanent residence and he is ready ready and willing to abide any conditions imposed by this court and willing to furnish substantial sureties and the petitioner will not abscond and no other bail petition is pending in any other court and therefore prays to enlarge him on bail.

The learned Junior Counsel for the Additional Public Prosecutor would submit that the petitioner assaulted the defacto complainant using bamboo stick over her head and admitted at Government Hospital, Mayiladuthurai. In such situation, that if the petitioner / accused is released on bail, he may commit similar offence again and strongly objected to release the petitioner / accused on bail. The same objection was submitted in the police reply.

On considering the rival submissions of both parties and on perusal of material records it is noted that the petitioner / accused was in Judicial custody for about 32 days and the injured person discharged from the hospital and taking note of the facts and circumstances of the case and the length of his incarceration, this Court is inclined to grant bail by imposing serious condition.

In the result, this bail petition is allowed on the following conditions.

1. that the petitioner / accused person is ordered to be enlarged on bail on his executing bail bond for a sum of Rs.10,000/- along with two sureties each for the like sum to the satisfaction before the District Munsif cum Judicial Magistrate, Tharangambadi.
2. the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Passbook to ensure the identity.
3. **the petitioner shall report before the respondent police station daily at 10.00 a.m. for a period of 30 days.**
4. The petitioner should co-operate for the investigation and should not threaten the witnesses.

5. the petitioner shall not abscond either during investigation or trial.
6. the petitioner shall not tamper with evidence or witness either during investigation or trial.
7. On breach of any of the aforesaid conditions, the Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji/Vs/State of Kerala, [(2005) AIR S.C.W.5560]*.
8. If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS.

Pronounced by me in the Open Court on the 09th day of June 2026.

District and Sessions Judge,
Mayiladuthurai.

Copy to

1. The District Munsif cum Judicial Magistrate, Tharangambadi
2. The Inspector of Police, Perambur P.S.
3. The Petitioner through his counsel.