

**IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, PUDUKKOTTAI****PRESENT : Thiru.K.Poorana Jeya Anand, M.A., M.L.,****Principal Sessions Judge, Pudukkottai.****Tuesday the 16th day of June , 2026****Criminal Miscellaneous Petition No:1560/2026****{CNR No.TNPD01-0027742026}****\*\*\*\*\***

Batcha @ Gunasekaran, S/o. Karuppaiah.

.....Petitioner/Accused

/Versus/

State of Tamil Nadu represented by Inspector of Police,  
Alangudi Police Station,  
Cr.No.141/2026.

.... Respondent/Complainant

This petition coming on this day before me for hearing in the presence of Thiru.M.Kulam Nabi Azath, Learned Advocate appearing for the Petitioner and of Mr.V.Subramanian, Learned Advocate appearing for the intervener/Defacto complainant and the Learned Public Prosecutor Thiru.B.Venkatesan, on behalf of the Complainant and this Court passed the following,

**ORDER**

This e-petition is filed by the petitioner U/s.482 of Bharatiya Nagarik Suraksha Sanhita (BNSS)-2023, praying for anticipatory bail.

Notice was issued. Reply was filed by the prosecution.

The Learned Counsel for the petitioner submits that the petitioner is being charged for offences U/s. 296(b), 118(1), 351(3) of BNS in Cr.No. 141/2026 of Alangudi Police Station and he has not committed any offences as alleged and he has been falsely implicated in this and also submits that the injured person was discharged from the hospital. He further submits that there is no anticipatory bail application pending before the Hon'ble Madras High Court and the petitioner is ready to abide by any condition imposed by this court and hence, he seeks anticipatory bail for the petitioner.

The defacto complainant has filed an intervenor application through his counsel who has submitted that this petitioner had assaulted the defacto complainant with knife and threatened to cause his death and the injured person was discharged from the hospital and he opposed to grant anticipatory bail in favour of the petitioner.

The Learned Public Prosecutor submits that on 30.05.2026, the petitioner herein made a quarrel with the de-facto complainant, he used filthy languages against the defacto complainant and he assaulted the defacto complainant with knife and also threatened to cause his death. The injured was discharged from the hospital. The investigation is still pending and hence, he opposed to grant anticipatory bail in favour of the petitioner.

**With regard to anticipatory bail**, this court relied upon a case law reported in AIR 1980 SC. 1632 rendering by our Hon'ble Supreme Court of India in a case of Shri Gurbaksh Singh Sibbia Vs.State of Punjab, wherein it has been held as follows:-

**“The nature and seriousness of the proposed charges, the context of the events likely to lead to the making of the charges, a reasonable possibility of the applicant's presence not being secured at the trial, a reasonable apprehension that witnesses will be tampered with and "the larger interests of the public or the state" are some of the considerations which the court has to keep in mind while deciding an application for anticipatory bail.”**

Rival submissions are taken into consideration. Perused the records. The petitioner herein made a quarrel with the de-facto complainant, he used filthy languages against the defacto complainant and he assaulted the defacto complainant with knife and also threatened to cause his death. The injured was discharged from the hospital. It seems that the material part of investigation would have been almost completed by this time. The only non-bailable offence is section 118(1) of BNS. By considering the above aspects, other facts and circumstances of the case, nature of offences and in view of the decision cited supra and in the absence of any serious objection on the side of the prosecution, this court is of the view that the petitioner can be granted anticipatory bail.

In the result, this Anticipatory Bail Petition is allowed with the following conditions:-

- 1) In the event of arrest or on his appearance before the Jurisdictional Magistrate, the petitioner is ordered to be enlarged on bail on him executing a bond for a sum of Rs.10,000/- with two sureties for a like sum each to the satisfaction of the Jurisdictional Magistrate,
- 2) The petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and also submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their identity,

- 3) The petitioner **shall stay at Thanjavur District and shall appear and sign before the Judicial Magistrate No.III, Thanjavur** daily at 10.30 a.m. for a period of 15 days (including holidays) from the next day of execution of bond before the Jurisdictional Magistrate, without fail and thereafter, as and when required for interrogation,
- 4) The petitioner shall comply with the conditions stipulated u/s 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS) - 2023 scrupulously,
- 5) The petitioner shall surrender before the Jurisdictional Magistrate within 30 days from the date of this order, failing which, this anticipatory bail order shall stand cancelled automatically without any further reference to this court.
- 6) On breach of any of the above said conditions, the Jurisdictional Magistrate is entitled to take appropriate action against the petitioner in accordance with law as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala reported in (2005) AIR SC W 5560
- 7) If the petitioner thereafter absconds, a fresh FIR can be registered under section 269 of BNS.

Pronounced by me in Open Court, this the 16th day of June, 2026.

**Principal Sessions Judge,  
Pudukkottai.**

**Copy to:**

The District Munsif cum Judicial Magistrate, Alangudi.  
The Judicial Magistrate No.III, Thanjavur.  
The Inspector of Police, Alangudi P.S.,  
The Counsel for the petitioner.  
The Counsel for the intervener/defacto complainant.