

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE,  
SALEM

Present: Tmt.S.Sumathy, M.L.,  
Principal Sessions Judge,  
Salem.

Tuesday, this the 10<sup>th</sup> day of March, 2026

CRIMINAL MISCELLANEOUS PETITION No.612/2026  
(CNR.No.TNSA010012652026)

1) Karthi (20), S/o Vijayakumar

2) Vignesh @ Vigneshwaran (18),

S/o Vijayakumar

... Petitioners/Accused  
No.2 & 10.

Vs

State by: The Inspector of Police,  
Kitchipalayam P.S.  
Cr.No.33/2026.

... Respondent / Complainant.

This petition is filed on 07.03.2026 u/s 483 of BNSS, to grant bail to the petitioners.

This petition is coming on this day for hearing before me, in the presence of Thiru.K.Iniyen Sendil, Counsel for the petitioners and the Public Prosecutor for the respondent, after perusing the averments, this Court delivered the following:

ORDER

1) Heard both side and records perused. The petitioners are the accused in Cr.No.33/2026 of Kitchipalayam PS. The petitioners, who were remanded to judicial custody on 10.02.2026 for the alleged offences u/sec.191(2), 191(3), 296(b), 115(2), 118(1), 324(4) and 351(3) of BNS altered to sec.191(2), 191(3), 296(b), 109(1) and 324(4) of BNS, have come forward with this petition seeking to release them on bail.

2) The case of the prosecution is that on 09.02.2026 at about 04.00 p.m., near Muniyappan Temple Water Tank, the defacto complainant's sons and their friends were practicing for playing drums, the defacto complainant, his brother Dhanapal, one Dinesh, his brother Surya and one Manimaran were watching the same and talking among them, at that time, the accused Jothi and his friends the accused Shanmugam and Kathiravan came there and they were dancing and hit on the defacto complainant and others and caused disturbance to them, when this was questioned by them, a wordy quarrel arose between the defacto complainant and the said accused. The said accused threatened the defacto complainant's party and left from there. While so, at about 07.00 p.m., when the defacto complainant's party were near Muniyappan Temple Water Tank, the petitioners and other accused came there with deadly weapons and developed quarrel with the defacto complainant. Then the accused Shanmugam and Karunas assaulted the defacto complainant with knife, the accused Gugan assaulted him with wooden log, the accused Vicky, Sujay and Krithik Kishore assaulted him with hands and legs, at the same time, the accused Kathiravan assaulted Manimaran with knife, the accused Jothi, Karthick and Giri assaulted him with wooden log, the accused Lakshmanan, Gowtham, Asath and Jana assaulted him with hands and legs and attempted to kill them. When the neighbours rushed to rescue the defacto complainant and Manimaran, the accused threatened them with dire consequences and also damaged the water barrel, vessels and door. Hence this case.

3) The learned Counsel for the petitioners has submitted that the petitioners have not committed any offence and they are falsely implicated in this case; the co-accused were already granted bail by this Court in CMP.No.571/2026 dated:05.03.2026, CMP.No.570/2026, CMP.

No.593/2026 & CMP.No.594/2026 dated:09.03.2026 and for the past 29 days, the petitioners are in judicial custody and prayed to enlarge the petitioners on bail.

4) On the other hand, the learned Public Prosecutor has reiterated the facts of the case and strongly objected to release the petitioners on bail stating that the investigation is pending and prayed for dismissal of the petition. However, he conceded that the co-accused were already granted bail by this Court.

5) In the stated circumstances, considering the fact that the co-accused have already been enlarged on bail and considering the incarceration period of the petitioners, this Court is inclined to grant bail to the petitioners on the following conditions:

1. that the petitioners are ordered to be released on bail on their executing a bond each for Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate No.II, Salem;
2. that the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or Bank pass book to ensure their identity;
3. that the petitioners shall appear and sign before the respondent/police daily at 10.00 a.m., until further orders (for a minimum period of 30 days) and on further condition that they shall make available themselves for interrogation as and when required by the investigation Officer;
4. that the petitioners shall not tamper with evidence or witness either during investigation or trial;
5. that the petitioners shall not abscond either during investigation or trial;

6. that on breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate / trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji -vs- State of Kerala (2005) AIR SCW 5560);
7. If the accused thereafter absconds, a fresh FIR can be registered u/sec.269 of BNS.

In the result, this petition is allowed.

Pronounced by me in Open Court, this the 10<sup>th</sup> day of March, 2026.

Principal Sessions Judge,  
Salem.

Copy to the Judicial Magistrate No.II, Salem.  
Copy to the Supdt. of Jail in which the accused are confined.  
Copy to the Inspector of Police, Kitchipalayam P.S.