

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE,
SALEM

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

Thursday, this the 12th day of March, 2026

CRIMINAL MISCELLANEOUS PETITION No.613/2026
(CNR.No.TNSA010012772026)

Balu @ Balakumaran (24),

S/o Murugan

... Petitioner/Accused No.4.

Vs

State by: The Inspector of Police,
Annadhanapatty P.S.

Cr.No.48/2026

... Respondent / Complainant.

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

This petition is coming on this day for hearing before me, in the presence of Thiru.S.Nirmal Kumar, Counsel for the petitioner 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 petitioner is the accused in Cr.No.48/2026 of Annadhanapatty PS. The petitioner, who was remanded to judicial custody on 08.02.2026 for the alleged offences u/sec.126(2), 296(b), 109(1), 115(2), 118(1), 351(3), 191(2) and 191(3) of BNS, has come forward with this petition seeking to release him on bail.

2) The case of the prosecution is that on 05.02.2026 at about 08.30 p.m., during temple festival, a wordy quarrel arose between the defacto complainant and one Dhanam and her sons Selvaraj, Balu & Duraisamy, the same was pacified by the panchayatdars. While so, on 06.02.2026 at about 11.30 a.m., when the defacto complainant was going by walk near Bharath Electronics Shop situated in Dhadhagapatty- Trichy Main Road, the petitioner and other accused waylaid the defacto complainant and

abused him in filthy words and A-1 Srinivasaperumal assaulted him with iron pipe, this petitioner, the accused Prabakaran & other accused assaulted him with hands and when the defacto complainant's son intervened, the accused Prabakaran and Haribaskar assaulted him with wooden log and attempted to kill them. Further the accused threatened them with dire consequences. Hence this case.

3) The learned Counsel for the petitioner has submitted that the petitioner has not committed any offence and he is falsely implicated in this case; the injured were discharged from the hospital and for the past 33 days, the petitioner is in judicial custody and prayed to enlarge the petitioner on bail.

4) On the other hand, the learned Public Prosecutor has reiterated the facts of the case and submitted that there are totally 07 accused involved in this case; A-1 in this case has been detained under Goondas Act; the petitioner has already involved in yet another 04 cases; the offence is grave in nature and due to the assault made by the accused, two persons were injured in this case and the investigation is pending, hence, he strongly objected to release the petitioner on bail. However, he added that the co-accused was granted bail by the Hon'ble High Court, Madras in CrI.O.P.No.6271/2026 dated:11.03.2026.

5) In the stated circumstances, considering the fact that the co-accused has been granted bail by the Hon'ble High Court, Madras in CrI.O.P.No.6271/2026 dated:11.03.2026 and considering the incarceration period of the petitioner, this Court is inclined to grant bail to the petitioner on the following conditions:

1. that the petitioner is ordered to be released on bail on his executing a bond 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.IV, 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 petitioner shall appear and sign before the respondent/police daily twice at 10.00 a.m., and 05.00 p.m., until further orders (for a minimum period of 30 days)** and on further condition that he shall make available himself for interrogation as and when required by the investigation Officer;
4. that the petitioner shall not tamper with evidence or witness either during investigation or trial;
5. that the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 12th day of March, 2026.

Principal Sessions Judge,
Salem.

Copy to the Judicial Magistrate No.IV, Salem.

Copy to the Supdt. of Jail in which the accused is confined.

Copy to the Inspector of Police, Annadhanapatty P.S.