

**IN THE COURT OF PRINCIPAL SESSIONS JUDGE,
SALEM**

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

Wednesday, this the 01st day of April, 2026

CRIMINAL MISCELLANEOUS PETITION No. 800/2026
(CNR.No.TNSA010016352026)

Manosri (26),
S/o.Veerabatmanaban

...Petitioner/Accused No.1

/Versus/

State by : The Inspector of Police,
Fairlands P.S.,
Cr.No. 50/2026

...Respondent/Complainant

This petition filed on 25.03.2026 under section 482 of BNSS., to grant anticipatory bail to the petitioner.

This petition is coming on this day for hearing before me, in the presence of Tr.R.V.Vigneshwaran, Counsel for the petitioner and the Public Prosecutor for the respondent, after perusing the averments, this Court delivered the following:

ORDER

Heard both side and perused the records.

2) This petition is filed by Counsel for petitioner/accused u/s.482 of BNSS., seeking anticipatory bail. The petitioner who apprehends arrest at the hands of the respondent/police for the alleged offences punishable u/s.296(b), 115(2), 118(1) and 351(3) of BNS, has filed this petition seeking to release him on anticipatory bail.

3) The case of the prosecution is that the defacto complainant runs a cell phone service shop in his house in the name of his daughter. The defacto complainant and petitioner are friends. On 06.03.2026 at about 17.00 hours,

the petitioner gave his cell phone to the complainant for repair along with Rs.500/- as a service charge. The defacto complainant soon rectified the issue and called the petitioner to inform him that he could collect the phone. At that time, the petitioner told the complainant not to service the phone and demanded to return the amount Rs.500/-. The complainant replied that the amount had been adjusted for servicing and refused to return it, asked the petitioner to collect the the phone. On 07.03.2026 at about 00.30 hours, while the complainant was sitting with his friends in Chinnapudhur in the vacant ground of Varalakshmi Mill, at that time, the petitioner and other accused came there and abused the complainant in filthy words; A-2 Paramasivam assaulted him with knife on his left side forehead; A-3 Ramkumar assaulted him with knife on his right side head; the petitioner/A-1 and A-4 fisted him with hands on his face and caused injuries to him and also threatened him with dire consequences. Hence, this case.

4) The learned Counsel for the petitioner has submitted that the petitioner has not committed any offence and he has been falsely implicated in this case. He further submitted that the co-accused A-3 Ramkumar has been arrested and remanded to judicial custody, subsequently, he has been granted bail by the learned Judicial Magistrate No.V, Salem; there is no previous case against the petitioner; the injured person has been discharged from the hospital; the petitioner is ready to abide any condition imposed by this Court and hence he prays to enlarge the petitioner on anticipatory bail.

5) The learned Public Prosecutor has reiterated the facts of the case and submitted that there are totally 04 accused involved in this case; this petitioner is arrayed as A-1; and A-3 has been arrested and granted bail; on 06.03.2026 at about 17.00 hours, the petitioner gave his cell phone to the complainant for repair along with Rs.500/- as a service charge; the defacto complainant rectified the issue and called the petitioner to inform him that he

could collect the phone; at that time, the petitioner told the complainant not to service the phone and demanded to return the amount Rs.500/-; due to which an enmity exists between them. He further submitted that on the date of occurrence, due to previous enmity a quarrel arose between the parties, and in the said quarrel, the occurrence happened. He also submitted that the injured person has been discharged from the hospital; the investigation is pending and hence he opposed to grant anticipatory bail to the petitioner.

6) In the stated circumstances, considering the nature of the offence, the facts of the case and the fact that the injured person has already been discharged from the hospital and one of the co-accused has been arrested and granted bail, this Court is inclined to grant anticipatory bail to the petitioner on the following conditions:

- i) that in the event of arrest of the petitioner by the respondent/police or on his surrender before the learned Judicial Magistrate No.V, Salem within 15 days from the date of this order and on such arrest or surrender the petitioner is ordered to be enlarged on anticipatory bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Salem;
- ii) that the petitioner and 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;
- iii) that the petitioner shall appear and sign before the learned Judicial Magistrate No.V, Salem daily at 10.00 a.m. except holidays, 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;
- iv) that the petitioner shall not tamper with evidence or witness either during investigation or trial;

- v) that the petitioner shall not abscond either during investigation or trial;
- vi) 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 themselves as laid down by the Hon'ble Supreme Court *in P.K.Shaji-vs-State of Kerala [(2005) AIR SCW 5560]*; and
- vii) If the accused thereafter absconds, a fresh FIR can be registered u/s.269 of BNS.

With the above said directions, this petition is allowed.

Pronounced by me in Open Court, this the 01st day of April, 2026.

Principal Sessions Judge,
Salem.

Copy to the Judicial Magistrate No.V, Salem.
Copy to the Inspector of Police, Fairlands P.S.