

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE,
SALEM

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

Monday, this the 30th day of March, 2026

CRIMINAL MISCELLANEOUS PETITION No.797/2026
(CNR.No.TNSA010016392026)

Praveenkumar (22), S/o Rajendiran ... Petitioner/Accused No.5.
Vs

State by: The Inspector of Police,
Deevattipatty P.S.
Cr.No.22/2026. ... Respondent / Complainant.

This petition is filed on 25.03.2026 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.Sasikumar, 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.22/2026 of Deevattipatty PS. The petitioner, who was remanded to judicial custody on 13.01.2026 for the alleged offences u/sec.296(b), 126, 118(1), 351(3), 310(2) and 311 of BNS altered to sec.296(b), 126, 118(1), 351(3), 310(2), 311 and 61(2) of BNS, has come forward with this petition seeking to release him on bail.

2) The case of the prosecution is that the defacto complainant is the Sub Inspector of Police attached with Omalur Police Station. On 02.05.2025 based on a complaint given by one Thangaraj regarding robbery of Rs.500/- committed by the accused Periyakutty @ Janaranjan Paulraj

from him a case in Cr.No.245/2025 was registered by the defacto complainant against that accused and he was arrested and remanded to judicial custody. Then A-2 Alamelu often came to the police station and met the defacto complainant to know about the case against that accused and she borrowed a sum of Rs.90,000/- from the defacto complainant. On 28.12.2025 the defacto complainant contacted A-2 over phone and asked to return the said money, for which, she replied that on 01.01.2026 she will give a new phone to the defacto complainant instead of the said money. On 03.01.2026 at about 03.00 p.m., A-2 contacted the defacto complainant over phone and asked to come to her grandparents' house at Omaigoundampatty for getting the cell phone and sent photo of cell phone and location to his WhatsApp and accordingly at about 09.45 p.m., the defacto complainant went there and at that time, the other accused were there and then all the accused joined together assaulted the defacto complainant with iron rod and at knife point the accused transferred a sum of Rs.28,000/- from the defacto complainant's cell phone to another cell phone. Then the accused sat him on a cot and taken video and taken away his 3½ sovereign of gold chain and also threatened him with dire consequences. Hence the defacto complainant lodged a complaint with the respondent/police and during enquiry, the police found that the petitioner is also involved in the commission of offence. 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; there is a delay in lodging the complaint; this is the fourth application for bail; because of the illegal relationship between the defacto complainant and the accused Alamelu, the defacto complainant gave money to her, but he lodged a false complaint against the accused; except the present case and the case in Cr.No.36/2026 of Omalur PS, no other case is pending

against the petitioner; the investigation is almost over and for the past 77 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 out of 07 accused, 06 accused persons were detained under Goondas Act; this petitioner and other accused are the close associates of accused Alamelu, who falsely claims her as an Advocate; all the accused joined together involved in the commission of offence; this petitioner is having previous cases; the offence is grave in nature and the investigation is pending, hence, he strongly objected to release the petitioner on bail.

5) In the stated circumstances, considering the facts of the case, the submissions made by both side and 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, Omalur;
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 30th day of March, 2026.

Principal Sessions Judge,
Salem.

Copy to the Judicial Magistrate, Omalur.

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

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