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Crl.M.P.No.,1709 of 2026
Sooramangalam Police Station
Crime No : 286 of 2026

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, SALEM.

Present : Thiru. Swarnam J. Natarajan, M.L.,

Principal Sessions Judge, Salem.

Monday, this the 13th day of July - 2026

Crl.M.P.No.1709/2026

CNR.No.TNSA01-003505-2026

- 1) Soundarajan (28),
S/o Kuppan
- 2) Gowtham (22),
S/o Thavamani
- 3) Vijay (29),
S/o Paramasivam
- 4) Divanraj (25),
S/o Mariappan

... Petitioners/Accused
No. 1 to 4.

Vs.

The State rep. by
The Sub Inspector of Police,
Sooramangalam Police Station.
(Cr.No.286/2026)

... Respondent / Complainant

This petition is coming on this day for final hearing before me in the presence of Thiru.C.Murali, Advocate for the petitioners and the respondent/police concerned, after perusing the written reply submitted by the respondent and records, this Court delivers the following ...

13.07.2026

Principal Sessions Judge, Salem.



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Crl.M.P.No.,1709 of 2026
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ORDER

1. It is brought to the notice of this court that the tenure of the erstwhile Public Prosecutor for the district Salem has come to an end with effect from 30.06.2026 by the order of the Additional Chief Secretary, Home Department, Government of Tamil Nadu, and the Public Prosecutor has been relieved from his service. Since then, no Public Prosecutor has been so far appointed to represent the state before this court, due to the office of the Public Prosecutor remains vacant.

Several urgent bail applications are awaiting consideration before this court, and the same were adjourned for want of representation on behalf of the State. Though the investigating officers concerned have filed their detailed written objections and other relevant materials, the matter could not be effectively heard for want of representation on behalf of the state through the newly appointed Public Prosecutor.

The Hon'ble Supreme Court in the recent judgment had given directions that the bail applications when filed should be disposed of within a period of 15 days, as the right to seek for bail shall be considered within a reasonable time as the same forms part of an integral constitutional guarantee of personal liberty under Article 21 of the Constitution of India. The criminal justice administration

13.07.2026

Principal Sessions Judge, Salem.



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cannot remain in abeyance solely on account of an administrative vacancy to the office of the Public Prosecutor. The investigating officer has already placed on record his written objections, setting out the factual circumstances, the stage of the investigation, the respondent's objection, the same substantially reflects the stand of the respondent, and the same would be sufficient assistance for the court to undertake judicial scrutiny of the request for the bail.

Due to the above reasons, this court proceeds to consider the bail application on its own merits after careful examination of the pleadings, the written objections filed on behalf of the investigating officer.

2. The petitioners, who are in judicial custody for the offence punishable under Section(s) 191(2), 191(3), 296(b), 115(2), 118(1), 351(3) of BNS altered to sec.191(2), 191(3), 296(b), 115(2), 103(2) and 351(3) of BNS in Crime No.286/2026 on the file of the Sooramangalam Police Station since 13.06.2026, 15.06.2026, seeks their release on bail under Section 483 B.N.S.S.

3. According to the petitioners, they are arrayed as accused in this case and as against the accused, allegations have been levelled by the defacto complainant alleging that the defacto complainant developed relationship with the 1st petitioner's wife and often they were talking over phone, for the past six months, she did not talk with the defacto complainant, to know about the



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reason, on 10.06.2026 at about 01.00 a.m., the defacto complainant and his friend Karthick went to 1st petitioner's house, at that time, scuffle arose between 1st petitioner and the defacto complainant and in the said incident, the petitioners and other accused abused the defacto complainant in filthy words, 1st petitioner assaulted him with concrete brick, hands and kicked him, 3rd petitioner assaulted him with steel pipe, A-5 assaulted him with hands, 2nd and 4th petitioners assaulted Karthick with hands and caused injuries to them, further the accused threatened them with dire consequences. Further it is alleged that the defacto complainant and the said Karthick were admitted in the hospital and during the course of treatment, the defacto complainant died. The petitioners have not committed any offence and have been falsely implicated in this case. The petitioners have given undertaking that they would never abscond nor tamper or hamper the witnesses and ready to abide by any condition imposed by the Court and willing to produce sufficient solvent sureties to the satisfaction of the Judicial Magistrate. The petitioners are in judicial custody for the past 31 days, 29 days respectively. Hence, the petitioners pray for considering their bail application.



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4. The respondent filed his detailed objections in writing stating that the investigation is pending. In the event, if the petitioners are released on bail, they would abscond and may not appear before the Court by abiding the condition.

5. This Court has considered the rival submissions and perused the materials available on record.

6. The investigation is in premature stage and the petitioners 1 to 4 along with the 5th accused person had assaulted the deceased person with hands and iron pipe and caused his instantaneous death in connection with the dispute with regard to complainant having illicit relationship with the 1st accused's wife. Considering the above circumstances, this Court finds that the investigation is in premature stage and in the event, if the petitioners are enlarged, they would hamper the evidence. Thereby, the present bail application is dismissed.

In the result, this petition is dismissed.

Typed by Steno-Typist, corrected and signed on 13th day of July – 2026.

**Principal Sessions Judge,
Salem.**

Copy to :-

1. The Judicial Magistrate No.II, Salem.
2. The Sub Inspector of Police, Sooramangalam Police Station.
3. Counsel for the petitioners.