



IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, SIVAGANGAI.

PRESENT: **Tmt.K.Arivoli., M.A., M.L.,**

Principal Sessions Judge, Sivagangai.

Wednesday, the 11th day of March - 2026

Cr.M.P.No.517/2026

(CNR No.TNSV01000876-2026)

1. Sivakumar, (Age 25), (A2) S/o.Mahamuni,
Paiyur, Sivagangai.
2. Paramasivam, (Age 21) (A3) S/o.Mahamuni,
Paiyur, Sivagangai.

. . . Petitioners/Accused

Vs.

The State rep. by
The Inspector of Police,
Sivagangai Town Police Station.
(Cr.No.130/2026)

. . . Respondent / Complainant

The petition coming on this day for final hearing before me in the presence of Thiru.S.Valmekanathan, Advocate for the Petitioners and of Thiru.A.Alagarsamy, Public Prosecutor for the State, after hearing both sides and perusing the written reply submitted by the respondent and records, this Court delivers the following . . .

ORDER:-

1. The petitioners, who are in judicial custody for the offences charged u/s.132, 351(3) of B.N.S Act and 25(1A) Arms Act in Crime No.130/2026 of the respondent police since 05.03.2026 is seeking for their release on bail u/s.483 of B.N.S.S.

2. According to the petitioners, they are ranked as A2, A3 in the crime number and there are totally three accused in the present case and as against them, allegations have been levelled by the *defacto* complainant alleging that the petitioners along with another accused have threatened the general public by using prohibited weapon of sword and also deter the police personals from discharging their public duty and also illegally possessed with the same by creating law and order problem.



According to the petitioners, they are innocent and they have not committed any offence as alleged by the prosecution. The Petitioners have given undertaking that they are ready to abide by any condition imposed by the Court and willing to produce sufficient solvent sureties to the satisfaction of the Judicial Magistrate. Hence, the Petitioners pray for considering their bail application.

3. The respondent filed his detailed objections in writing and the learned Public Prosecutor had submitted that the investigation is still 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. They may indulge in similar kind of offence in future and hence the Public Prosecutor strongly opposed the grant of bail application to the petitioners.

4. By considering the submissions of the parties and the fact that the petitioners are in judicial custody from 05.03.2026 and the petitioners are ranked as A2, A3 in the present case and no one has sustained injury in the incident and the petitioners are not involved in any previous case. Considering the above circumstances, this Court is inclined to consider the bail application of the petitioners with the following conditions.

In the result, ***the petition is allowed*** and the petitioners are ordered to be released on bail on their executing bond for Rs.10,000/- each with two sureties each of like sum to the satisfaction of the Judicial Magistrate No.I, Sivagangai with a condition that the petitioner shall appear and sign before the Respondent Police Station, daily morning at 10.00 a.m., and shall sign for 15 days and thereafter, shall appear on summons.

The sureties shall affix their photographs and left thumb impression and the



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Judicial Magistrate while considering the sureties, shall obtain the copy of their Aadhar card or bank pass book to ensure their identity.

The petitioners' photograph and Aadhaar Card or bank pass book copy shall also be obtained while considering the sureties.

The Petitioners shall make themselves available for interrogation by the respondent police Officer as and when required for enquiry.

The Petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade from disclosing such facts to the court or to any Police Officer. That the petitioners shall not leave the State of Tamil Nadu without prior permission of the learned Judicial Magistrate. The Petitioners shall not commit further offences of similar nature and shall appear before the respondent police station as and when required.

The Petitioners shall co-operate for early disposal of the matter.

On breach of the aforesaid conditions, the learned Judicial Magistrate, before whom the case is pending is at liberty to initiate / take appropriate action against the petitioners in accordance with law as laid down in the judgment of Hon'ble Supreme Court in P.K.Shaji Vs. State reported in AIR 2005 SCW 5560.

In the event, if the petitioners absconds, a fresh F.I.R shall be registered u/s.269 of B.N.S.

Given by me, this the 11th day of March – 2026.

Principal Sessions Judge,
Sivagangai.

Copy to :

1. The Judicial Magistrate No.I, Sivagangai.

11.03.2026

Principal District Judge, Sivagangai



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2. The Public Prosecutor, Sivagangai.
3. The Inspector of Police, Sivagangai Town Police Station.
4. Counsel for the Petitioners.

11.03.2026

Principal District Judge, Sivagangai