



IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, SIVAGANGAI.

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

Principal Sessions Judge, Sivagangai.

Thursday, the 12th day of March - 2026

Crl.M.P.No.526/2026

(CNR No.TNSV01000881-2026)

1. Nachiyappan, (Age 52), (A2), S/o.Nagappan,
No.3/750, Nainarvayal, Kottur, Devakottai, Sivagangai District.
2. Subashini, (Age 31), (A4), W/o.Suresh,
No.33-23, Nallangadi Street, Melur, Madurai District.

. . . Petitioners/Accused

.Vs.

The State rep. by
The Inspector of Police,
Thiruppathur Town Police station.
(Cr.No.47/2026)

. . . Respondent / Complainant

The petition coming on this day for final hearing before me in the presence of Thiru.G.Lawrence, 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 are apprehending arrest for the offences punishable u/s.296(b), 115(2), 118(1), 351(3) of B.N.S Act and had filed this petition u/s.482 of B.N.S.S., seeking for their release on anticipatory bail in the event of arrest.

2. According to the petitioners, they are ranked as A2, A4 in the present case and there are totally four accused persons in the crime number and as against them, allegations have been levelled by the *defacto* complainant alleging that the petitioners along with other accused have abused the *defacto* complainant with filthy language and assaulted him and his wife by using hands and spade and also threatened them with dire consequences. According to the petitioners, they are innocent and they have not committed any offence as alleged by the prosecution. The Petitioners had given



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undertaking that they would 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 anticipatory bail to them.

3. The respondent filed his detailed objections in writing and the learned Public Prosecutor had submitted that 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 to the condition. They would also threaten the witnesses and complainant and would not face the trial and hence the Public Prosecutor strongly opposed the grant of anticipatory bail application to the petitioners.

4. By considering the submissions of the parties and the fact that there is a money dispute between the parties and the petitioners are ranked as A2, A4 in the present case and the injured have already been discharged from the hospital and the petitioners are not involved in any previous case. Considering the fact that the injured have already been discharged from the hospital, this Court is inclined to consider the anticipatory bail application of the petitioners with the following conditions.

In the result, **the petition is allowed** and the petitioners are directed to surrender before the jurisdiction Magistrate (Principal District Munsif *cum* Judicial Magistrate, Thiruppathur) within 15 days from the date of receipt of the order or in the event of their arrest and production before the jurisdiction Magistrate concerned, **they are ordered to be released** on bail on their executing bond for Rs.10,000/- each with two sureties each for like sum to the satisfaction of the Principal District Munsif *cum* Judicial Magistrate, Thiruppathur with a condition that the petitioners shall appear and sign before the Respondent Police Station daily at morning at 10.00 a.m., and



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shall sign for 15 days and thereafter, shall appear on summons. *In the event, if the petitioners fails to surrender within 15 days from the date of order, the anticipatory bail granted automatically lapses.*

The sureties shall affix their photographs and left thumb impression and the 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 with 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 5506.

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



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Given by me, this the 12th day of March – 2026.

Principal Sessions Judge,
Sivagangai.

Copy to :-

1. The Principal District Munsif *cum* Judicial Magistrate, Thiruppathur.
2. The Public Prosecutor, Sivagangai.
3. The Inspector of Police, Thiruppathur Town Police station.
4. Counsel for the Petitioners.