



IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, SIVAGANGAI.

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

Principal Sessions Judge, Sivagangai.

Tuesday, the 17th day of March - 2026

Cr.M.P.No.538/2026 in (CNR No.TNSV01000904-2026)

Cr.M.P.No.555/2026 in (CNR No.TNSV01000906-2026)

Cr.M.P. No.538/2026

Thennarasu, (Age 46), S/o.Chokkalingam,
Door No.36/1A, Keelakudi, Vengalore, Devakottai Taluk, Sivagangai District.
... Petitioner/Accused

Vs.

The State rep. by
The Inspector of Police,
Devakottai Taluk Police Station,
(Cr.No.59/2026)

... Respondent / Complainant

Cr.M.P. No.555/2026

Santhi Mercy Gracy, W/o.Arul Chezhiyan,
Thudupoor Kanmai, near Varathukkal Bridge,
Thudupoor, Devakottai Taluk, Sivagangai District.

... Petitioner/Defacto complainant

Vs.

1. Thennarasu

... Accused

2. The State rep. by
The Inspector of Police,
Devakottai Taluk Police Station,
(Cr.No.59/2026)

... Respondent / Complainant

The petition coming on this day for final hearing before me in the presence of Thiru.K.Manivannan, Advocate for the Petitioner and of Thiru.C.Ilangovan, Advocate for the Intervener 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 . . .

COMMON - ORDER:-

1. The petitioner is apprehending arrest for the offences punishable u/s.126(2), 324(2), 140(3), 351(3) of B.N.S Act and had filed this petition u/s.482 of B.N.S.S., seeking for his release on anticipatory bail in the event of arrest.



2. According to the petitioner, the petitioner is the 3rd accused in the present case 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 wrongfully restrained the car of the *defacto* complainant and caused damage to the glasses of the car and abducted the husband of the *defacto* complainant and also threatened her with dire consequences by using sword and sickle. According to the petitioner, he is innocent and he has not committed any offence as alleged by the prosecution. The Petitioner had given undertaking that he would be 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 Petitioner prays for considering her anticipatory bail to him.

3. Per contra, the learned counsel for the Intervener has strongly opposed the petition filed by the petitioners stating that the accused persons have threatened the *defacto* complainant by using sword and sickle in public place at Broad daylight and committed theft of his cell phone and the alleged phone has not yet been recovered and co-accused have not yet been arrested and there is a life threat to the *defacto* complainant and her husband from the accused persons. In the event, if the petitioner is released on anticipatory bail, he may abscond and also may tamper the material witnesses, thereby hampering the course of entire investigation. Hence, prays for dismissal of the bail application of the petitioner.

4. 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 petitioner is released on bail, he may abscond and may not appear before the Court by



abiding the condition. Hence the Public Prosecutor strongly opposed the grant of bail application to the petitioner.

5. By considering the submissions of the parties and fact that there is a previous enmity between the parties with regard to money dispute and no one has sustained injury in the incident and the petitioner is not involved in any previous case. Per contra, the learned counsel for the Intervener has opposed the petition stating that there is a life threat to the *defacto* complainant and her husband from the accused persons and in the event, if the petitioner is enlarged on bail, he may threaten her and her family members.

6. In view of the above circumstances, this Court finds that there is a money dispute between the parties and no one has sustained injury in the incident and the petitioner is not involved in any previous cases. Considering the above circumstances, this Court is inclined to consider the anticipatory bail application of the petitioners with the following stringent conditions.

In the result, ***the petition is allowed*** and the petitioner is directed to surrender before the jurisdiction Magistrate (Judicial Magistrate, Devakottai) within 15 days from the date of receipt of the order or in the event of his arrest and production before the jurisdiction Magistrate concerned, **he is ordered to be released** on bail on his executing bond for Rs.10,000/- with two sureties each for like sum to the satisfaction of the Judicial Magistrate, Devakottai with a condition that the petitioner shall appear and sign before the Manamadurai Police Station daily morning at 10.00 a.m., and evening at 05.00 p.m., and shall sign for 30 days and thereafter, shall appear on summons. *In the event, if the petitioner fails to surrender within 15 days from the date*



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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 petitioner's photograph and Aadhaar Card with bank pass book copy shall also be obtained while considering the sureties.

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

The Petitioner 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 petitioner shall not leave the State of Tamil Nadu without prior permission of the learned Judicial Magistrate. The Petitioner shall not commit further offences of similar nature and shall appear before the respondent police station as and when required.

The Petitioner 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 petitioner 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 petitioner absconds, a fresh F.I.R shall be registered u/s.269 of B.N.S.



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As far as the intervening petition is concerned, the petition is dismissed.

Given by me, this the 17th day of March - 2026.

Principal Sessions Judge,
Sivagangai.

Copy to :-

1. The Judicial Magistrate, Devakottai.
2. The Public Prosecutor, Sivagangai.
3. The Inspector of Police, Devakottai Taluk Police Station.
4. Counsel for the petitioner.