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Crl.M.P.No.557/2026
Periyakulam Police Station
Crime No : 164/2026

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, Theni.

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

Principal Sessions Judge, Theni.

Monday, this the 30th day of March - 2026

Crl.M.P.No.557/2026 - In -
CNR.No.TNTH01-001023-2026

1. Kamesh
2. Vishnu
3. Manoj
4. Prem
5. Jegathees

... Petitioners/Accused

Vs

The State rep. by
The Inspector of Police,
Periyakulam Police Station,
(Cr.No.164/2026)

... Respondent / Complainant

The petition coming on this day for final hearing before me in the presence of Thiru. R. Harikrishnakumar, Advocate for the petitioners and Thiru. P. Baskaran, 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 charged u/s.191(2), 191(3), 296(b), 115(2), 118(1) and 351(3) BNS and had filed this petition u/s.482 of B.N.S.S., seeking for their release on anticipatory bail in the event of their arrest.

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Principal Sessions Judge, Theni.



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2. According to the petitioners, the petitioners are the accused in the crime number and as against them, allegations have been levelled by the de-facto complainant alleging that already there was a previous enmity between the de-facto complainant and the A1. In this situation on 11.03.2026 at around 8.30 p.m., the petitioners had used filthy language against the de-facto complainant and attacked him with a beer bottle and wooden-log and they also threatened them. According to the petitioners, they are innocent and they had not committed any offence as alleged by the prosecution. The petitioners had 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. Hence, the petitioners pray for the consideration of their anticipatory 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 anticipatory bail, they would abscond and may not appear before the Court by abiding the condition. They would

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indulge in similar offences 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 considering the fact that the case is arising out of case in counter and the injured has been discharged from the hospital, this court is inclined to consider the anticipatory bail application of the petitioners with the following conditions.

(i) Bond and Sureties :-

In the result, the petition is allowed and the petitioners are directed to surrender before the **Jurisdiction Magistrate, Periyakulam** 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 **Jurisdiction Magistrate, Periyakulam.**

(ii) Daily Appearance Requirement :-

The **petitioners shall appear and report before the Respondent Police Station daily at 10.00 a.m., for 30 days** and thereafter, shall appear on summons. In the event that the petitioners fail to surrender within 15 days from the date of the order, the anticipatory bail granted will automatically lapse.



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(iii) Identification Documentation :-

(a) 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.

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

(iv) Maintenance of Active Contact Details for Receipt of E-Summons and Court Communications :-

The accused persons shall, at the time of executing the bail bond, furnish to the Jurisdiction Magistrate concerned, their authenticated mobile numbers which are active and also email address, if any available, which shall be treated as the official contact details of the accused persons for the purpose of service of summons, notices and all further communications in connection with the case including appeal. The accused persons shall also provide the mobile number of an adult member of their family as their alternative contact number along with email ID, which is active. The sureties shall undertake the responsibility of ensuring that any communication / summons / notice received through the aforesaid contact details is duly intimated to the accused persons without delay by furnishing their contact number as well as email ID. The contact details so



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furnished shall not be altered or changed during the pendency of the proceeding without prior permission of the court concerned, wherein the case is against the petitioner is pending. In the event of any change in the said contact details without prior intimation and permission of the court, such conduct shall entitle a presumption of due service of communication and it may also be treated as an indicative of the accused persons absconding warranting appropriate action in accordance with law, including cancellation of bail for their failure to furnish the contact details.

Note :-

These particulars were obtained only to ensure the compliance of new amendment to the Criminal Rules of Practice for effective service of summons, intimation of further proceedings to the accused persons through e-summons for early disposal of case / for speedy trial.

(v) Cooperation with Investigation :-

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



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(vi) Terms Imposed for Ensuring Expeditious Trial :-

By recording the undertaking of the petitioners' counsel that the petitioners would not delay the trial / inquiry in any event from their side by purposefully seeking for adjournment or deferring of the cross-examination of the witnesses, in the event if the chief examination is taken. In the event if the condition is violated, the court concerned is at the option to cancel the anticipatory bail granted by this court and remand the accused persons to judicial custody, if it appears that the petitioners purposefully try to drag on or delay the proceedings on their side or willfully absents themselves, in co-ordination with the other accused persons, one after the other for the purpose of delaying the trial or committal proceedings further.

(vi) Non-Interference :-

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.

(vii) Travel Restrictions :-

That the petitioners shall not leave the State of Tamil Nadu without prior permission of the learned Judicial Magistrate. The petitioners shall not commit



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further offences of similar nature and shall appear before the respondent police station as and when required.

(viii) Compliance and Cooperation :-

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

(ix) Consequences of Breach :-

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.

(x) Absconding Consequences :-

In the event, if the petitioners abscond, a fresh F.I.R shall be registered u/s.269 of BNS.

Given by me, this the 30th day of March - 2026.

**Principal Sessions Judge,
Theni.**

Copy to :-

1. The Judicial Magistrate, Periyakulam.
2. The Public Prosecutor, Theni.
3. The Inspector of Police, Periyakulam Police Station.
4. Counsel for the petitioners.

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Principal Sessions Judge, Theni.