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Crl.M.P.No.1281/2026
Devathanapatti Police Station
Crime No : 334/2026

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THENI.

Present : Thiru. A. Saravanakumar, B.A.,B.L.,

Principal Sessions Judge, Theni.

Monday, this the 13th day of July – 2026

Crl.M.P.No.1281/2026 - In -

CNR.No.TNTH01-002276-2026

1. Kamaraj
2. Chellapandi

... Petitioners/Accused

Vs.

The State rep. by
The Inspector of Police,
Devathanapatti Police Station,
(Cr.No.334/2026)

... Respondent / Complainant

The petition coming on this day for final hearing before me in the presence of Thiru. M. Kalaiyaran, Advocate for the petitioners and Thiru. V. Veerasiva, 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

The petitioners, who is in judicial custody for the offences charged u/s.126, 296(b), 115(2), 132, 351(3) BNS and 3(1) of TNPPDL Act in Crime No.334/2026 of the respondent police since 23.06.2026 is seeking for their release on bail u/s.483 of B.N.S.S., *(The punishable offences are mentioned as per the reply submitted by the prosecution)*

2. This is an application for bail in respect of a case registered against the petitioners / accused u/s.126, 296(b), 115(2), 132, 351(3) BNS and 3(1) of TNPPDL Act.

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Principal Sessions Judge, Theni



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3. The learned counsel for the accused submits that the accused are an innocent persons and they have not committed any offence. If they are enlarged on bail, they would furnish sufficient sureties.

4. The prosecution is given notice. The learned Public Prosecutor strongly objected to release the accused on the ground that the investigation is not yet completed.

5. Considering the rival submissions, the occurrence has taken place on 22.06.2026 and the FIR was registered on 23.06.2026. The accused are in custody from 23.06.2026. The total period of custody exceeds 20 days. As per the case of the prosecution, the petitioners / A1 and A2 along with A3 have used abusive words towards the de-facto complainant and wrongfully restrained him from proceeding with the bus. The accused voluntarily caused simple injuries to the de-facto complainant and obstructed him in the discharge of his public duties and also threatened to kill him with dire consequences. The learned Public Prosecutor admits that the injured has been discharged from the hospital. Therefore, most part of the investigation not yet completed. The accused have permanent residence within the jurisdiction of the respondent police and there is no possibility of fleeing from justice. The accused seems to be a sole breadwinners of the family. However, the learned Public Prosecutor strongly objected to the grant of bail on the ground that the 1st accused is involved in 05 previous cases and the 2nd accused is involved in 06 previous cases. It is to be noted that no conviction has been recorded against them in any of those cases. At the same



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time, since the accused are involved in previous cases, this court is of the view that stringent conditions may be imposed while granting bail. Having regard to the totality of the facts and circumstances of the case, this court is inclined to consider the bail application of the petitioner with the following stringent conditions.

(i) Bond and Sureties :-

In the result, this 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, Periyakulam.**

(ii) Daily Appearance Requirement :-

The petitioners **shall appear and report before the Theni Police Station daily at 10.00 a.m., and 5.00 p.m., until further orders.**

(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) Contact Details for E-Summons and Court Communications :-

The petitioners shall furnish and maintain active mobile number(s) and email ID(s) for receipt of e-summons, notices and other court communications. Any change shall be made only with prior permission of the concerned Court.



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(v) Cooperation with Investigation :-

The petitioners shall appear before the respondent police and cooperate with the investigation as and when required.

(vi) Cooperation for Expeditious Trial :-

The petitioners shall not seek unnecessary adjournments or adopt any tactic to delay the trial proceedings.

(vii) Non-Interference with Witnesses :-

The petitioners shall not directly or indirectly threaten, induce or influence any witness or person connected with the case.

(viii) Travel Restriction :-

The petitioners shall not leave the State of Tamil Nadu without prior permission of the concerned Court and shall not involve themselves in similar offences.

(ix) Cooperation for Early Disposal :-

The petitioners shall cooperate with the Court for the early disposal of the case.

(x) Consequences of Breach :-

Any violation of the aforesaid bail conditions shall entail appropriate action against the petitioners in accordance with law, including cancellation of bail, as laid down by the Hon'ble Supreme Court in *P.K. Shaji Vs. State of Kerala*, reported in AIR 2005 SCW 5506.



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(xi) Absconding Consequences :-

In the event that the petitioners abscond, a fresh FIR shall be registered under Section 269 of the BNS.

Given by me, this the 13th day of July - 2026.

**Principal Sessions Judge,
Theni.**

Copy to :-

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

13.07.2026

Principal Sessions Judge, Theni