

IN THE COURT OF JUDICIAL MAGISTRATE, KANGAYAM

PRESENT : Miss. D. Thenmozhi, B.A., B.L., L.L.M.,

Judicial Magistrate, Kangeyam

Dated : Saturday, the 07th day of March 2026,

E.Cr1.M.P.No: 106/2026

in

Crime No: 117 of 2026 Kangeyam P.S.,

Balamurugan,

S/o. Angappan,

...Petitioner/Accused

/Vs/

State Rep. By

The Inspector of Police,

Kangeyam Police Station,

Cr.No. 117 of 2026,

U/s. 296(b), 115(2), 118(1), 351(3) BNS

...

Respondent/Complainant

This petition has come up on 07.03.2026 for final hearing before me in the presence of Adv.P. Vadivelsamy B.A.,BL., learned counsel appearing for the Petitioner and the Learned APP for the respondent and upon hearing both side and upon perusal of the records, this court delivers the following:

ORDER

The case of the prosecution : A complaint was lodged against the accused and an FIR was registered U/s.296(b), 115(2), 118(1), 351(3) BNS. The accused was arrested and remanded on 01.03.2026 for U/s. 296(b), 115(2), 118(1), 351(3) BNS . Now the accused has filed bail application,

2. **Contention of the Petitioner:** The learned Counsel appearing for the petitioner/accused submits that, he was arrested and remanded to judicial custody on 01.03.2026 and the petitioner is not likely to abscond or interfere with the investigation and is not all having any criminal background or case against him till this time. The petitioner/ accused is permanently residing at his address. The petitioner/accused undertakes to abide by any condition of this hon'ble court to be imposed on his release. Further the petitioner is ready to offer required sureties to the satisfaction of or as directed by this hon'ble court. Therefore, prayed for release of the petitioner/accused on bail.

3. **Counter of the respondent:** In this petition, reply received from the prosecution and stated in the reply that, if the petitioner/accused is released on bail, he may commit a similar offence and also he may be abscond and threat to the witnesses and tamper the evidence. Further stating that, he will not cooperate the trial and in this case. Hence, objected to release the petitioner / accused on bail.

4. **Point for determination;** whether the petitioner / accused is entitled to be enlarged on bail?

Heard both sides. On perusal of records, it is found that the petitioner/accused was charged U/s. 296(b), 115(2), 118(1), 351(3) BNS and he was arrested and remanded to Judicial custody on 01.03.2026 and he is in Judicial custody for the past 07 days. It is also noted that the accused has no criminal antecedents and has strong roots over the society and the likelihood of the accused not to cooperate for trial or investigation is not very apparent.

5. However, this court is aware of the fact that there is scope for the accused to tamper evidence and threaten the prosecution witnesses. Taking into account of the fact that the accused are in custody for the past 07 days. There is no peculiar circumstances or evidence that warrants the detention of the accused, considering the nature and gravity of the offences charged being bailable, the likelihood of the accused to cooperate for the investigation and trial, the evidence collected so far by the prosecution, and the lesser scope of custodial interrogation of the all accused,

nature and gravity of offence alleged, scope for accused to tamper evidence, this court is of the view that his release would not have any adverse effect on the society. Hence, for reason stated above this is inclined to grant bail on the following conditions:-

1. The petitioner/accused shall execute a bond for a sum of Rs. 10,000/- along with two sufficient sureties, both of whom must be blood relatives of the petitioner/accused
2. The sureties shall affix their Photographs and Left Thumb Impression in the surety bond and also produce two photograph and copy of their Adhar card or Bank pass book to ensure the identity;
3. The petitioner/accused shall not abscond or tamper the witnesses during the case investigation or trial and is also directed to cooperate for the case investigation;
4. The petitioner/accused shall sign before this Court every Monday at 10.00 A.M for Until further order.
5. The petitioner / accused shall not involve in similar offences and any violation of conditional under stipulated will result in invoking section 269 of BNS

In the result, the bail petition is allowed.

This order is pronounced in open Court on this 07th day of March 2026.

Judicial Magistrate,
Kangayam.