

In the court of the Principal Sessions Judge, Tiruppur

Present: Thiru. N.Gunasekaran, M.B.A., B.L.,
Principal Sessions Judge, Tiruppur.

Friday, the 03rd day of July, 2026

Cr.M.P. No.1231 / 2026 (CNR No.TNTI18 002634 2026)

1) K.Kamalesan, aged 33 years
S/o.Kannan

2) Meiyathan, aged 22 years,
S/o.Elanko

...

Petitioners / Accused

Vs.

State of Tamil Nadu Represented by
The Inspector of Police,
Thirumuruganpoondi Police Station,
Tiruppur.
(Cr.No.278/2026)

...

Respondent/Complainant

This petition came for hearing on this day in the presence of Thiru. S.Thilagavarma, Counsel for the petitioners upon hearing the petitioners' side and upon perusing the records including the objection in writing submitted by the Respondent police, this Court delivers the following:

ORDER

The Petitioners have filed the application U/s.482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail for the offence u/s.296(b), 351(3) and 137(2) of BNS and Section 4 of TNPHW Act in Cr.No.278/2026 of the respondent police.

First Information Report is pending against the petitioners u/s.296(b), 351(3) and 137(2) of BNS and Section 4 of TNPHW Act. The alleged date of occurrence is on 02.06.2026 and First Information Report was registered on the very same day.

The learned Counsel appearing for the petitioners would contend that the petitioners are innocent and have not committed any offence as alleged by the prosecution.

In contra, the respondent police would raise objection through a report by stating that the petitioners along with co-accused were alleged to have kidnapped the husband of the defacto complainant on prior enmity and hence, sought to dismiss the application.

Heard. Records perused. The alleged date of occurrence is on 02.06.2026 and First Information Report was registered on the very same day. Admittedly, the co-accused viz. A1 to A4 were already enlarged on bail by the Judicial Magistrate, Avinashi vide order in CrI.M.P.No.537/2026, dated:11.06.2026. As per the report of concern police, no other previous case is pending against the petitioners. Major portion of the investigation might have been completed by considering the date of occurrence and the First Information Report.

By considering the above facts and circumstances, enlargement of co-accused on bail by the Judicial Magistrate, Avinashi and the stage of investigation, this court **is inclined** to enlarge the petitioners on anticipatory bail on following condition.

In the result, the petitioner shall in the event of arrest by the respondent police or on their surrender before the **Judicial Magistrate, Avinashi** within 15 days from the date of this order, be released on bail on their executing a bond for a sum of Rs.10,000/- each with two sureties each for a like sum to the satisfaction of the **Judicial Magistrate, Avinashi** and on further condition that;

2. If the petitioners fail to surrender himself before the said Judicial Magistrate within the time stipulated, this order shall automatically cancelled;

3. The petitioners should appear and sign before the respondent police daily at about 10.00 A.M. until further orders.

4. The petitioners shall not tamper the evidence or witness either during investigation or trial;

5. The petitioners shall not abscond either during investigation or trial;

6. On breach of any of the aforesaid conditions, the learned Magistrate/Trial court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by it as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560]. If the accused thereafter abscond, a fresh FIR can be registered under section 269 BNS.

Accordingly, this petition is **allowed**.

Dictated to the steno-typist, typed by her, corrected and pronounced

by me and uploaded in Case Information System on this 03rd day of July, 2026.

Principal Sessions Judge,
Tiruppur.

Copy to:

1. The Judicial Magistrate, Avinashi
2. The Public Prosecutor, Tiruppur.
3. The Inspector of Police, Thirumuruganpoondi Police Station, Tiruppur
4. Counsel for the Petitioners.
5. The Secretary, District Legal Services Authority, Tiruppur
through e-mail.