

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THANJAVUR.

PRESENT: Thiru.P.Velmurugan, B.A.,B.L.,

Principal Sessions Judge, Thanjavur

Wednesday the 11th day of March, 2026

Criminal Miscellaneous Petition No.1746/2026

{CNR No: TNTJ01-0022262026}

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1. Kumar, S/o.Varatharajan

2. Thivakar, S/o. Kumar

....Petitioners/ Accused

/ versus /

State of Tamil Nadu represented by Inspector of Police

Papanasam Police Station,

Cr.No.61/2026

...Respondent/Complainant

This petition coming on this day before me for hearing in the presence of Tmt.Devi.V.Kannukkiniyal, Learned Advocate appearing for the petitioners and the Learned Public Prosecutor Thiru.S.Sathiamoorthy, on behalf of the complainant and this court passed the following,

#### ORDER

This e-petition is filed by the petitioners u/s 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) - 2023, praying for anticipatory bail.

Notice was issued. Reply was filed by the prosecution.

The Learned Counsel for the petitioners submits that the petitioners are being charged for offences u/s 296(b), 118(1), 351(3) of BNS in Cr. No.61/2026 of Papanasam Police Station and they have not committed any offences as alleged and they have been falsely implicated in this case. He further submits that the petitioners have no more previous cases and the injured person was discharged from the hospital and counter case has been registered against the de-facto complainant and the investigation is almost completed. He further submits that the petitioners are ready to abide by any condition to be imposed by this court and hence, he seeks anticipatory bail for the petitioners.

The Learned Public Prosecutor submits that on 28.02.2026, the petitioners herein/ A1 & A2 made a quarrel with the de-facto complainant Dhamodharan on account of civil dispute and they caused injury to the de-facto complainant with billhook. He further submits that this is the main case to the counter case registered in Cr.No.62/2026 and the injured person was discharged from the hospital after taking six days' medical treatment and the petitioners have no previous case, but, the investigation is still pending and hence, he opposed to grant anticipatory bail in favour of the petitioners.

Rival submissions are taken into consideration. Perused the records. The occurrence is said to have taken place in between the parties on account of civil dispute. Admittedly, a case and counter case are said to have been registered against each other party. The injured person is said to have been discharged from the hospital in this case. The petitioners have no previous case. It seems that the material part of investigation would have been almost completed by this time. The

only non-bailable offence is section 118(1) of BNS. By considering the above aspects, other facts and circumstances of the case and in the absence of any serious objection on the side of the prosecution, this court is of the view that the petitioners can be granted anticipatory bail.

In the result, this Anticipatory Bail Petition is allowed with the following conditions:-

- 1) In the event of arrest or on their appearance before the Jurisdictional Magistrate, the petitioners are ordered to be enlarged on bail on their executing a bond each for a sum of Rs.10,000/- with two sureties for a like sum each to the satisfaction of the Jurisdictional Magistrate,
- 2) The petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and also submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their identity,
- 3) The petitioners shall appear and sign before the respondent daily at 10.30 a.m. for a period of 15 days (including holidays) from the next day of execution of bond before the Jurisdictional Magistrate, without fail and thereafter, as and when required for interrogation,.
- 4) The petitioners shall surrender before the Jurisdictional Magistrate within 30 days from the date of this order, failing which, this anticipatory bail order shall stand cancelled automatically without any further reference to this court.
- 5) The petitioners shall comply with the conditions stipulated u/s 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) - 2023, scrupulously,
- 6) On breach of any of the above said conditions, the Jurisdictional Magistrate is entitled to take appropriate action against the petitioners in accordance with law as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala reported in (2005) AIR SC W 5560
- 7) If the petitioners accused thereafter abscond, a fresh FIR can be registered under section 269 of BNS and
- 8) The Station House Officer of respondent P.S. is directed to send a compliance report to this court with regard to reporting condition by the petitioners.

Pronounced by me in Open Court, this the 11th day of March, 2026.

Principal Sessions Judge,  
Thanjavur.

Copy to:  
The DM cum Judicial Magistrate, Papanasam  
The Inspector of Police, Papanasam P.S.  
The Counsel for the petitioner.