

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THANJAVUR.
PRESENT: Tmt. J.Tamilarasi, B.Com.,M.L.,
Sessions Judge,
(Special Courts in the cadre of District Judge for exclusive trial of cases under POCSO
Act,Thanjavur /
Principal Sessions Judge, Thanjavur (FAC)
Monday the 1st day of June, 2026
Criminal Miscellaneous Petition No.3280/2026
{CNR No: TNTJ01-0045092026}

1. Asai Thambi, S/o.Adaikkalamani
2. Kalaiyarasi, W/o.Asai Thambi

....Petitioners/ A1 and A2

/ versus /

State of Tamil Nadu represented by Inspector of Police
Kumbakonam Taluk Police Station,
Cr.No.184/2026

...Respondent/Complainant

This petition coming on this day before me for hearing in the presence of Thiru.S.Punniyamoorthy, 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 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 the offences u/s **296(b), 118(2), 351(2) of BNS r/w Section 4 of Prohibition of Harassment of Women Act** in **Cr. No.184/2026 (Amended as per memo)** of Kumbakonam Taluk Police Station and they have not committed any offences as alleged and they have been falsely implicated in this case. He also submits that the injured person was discharged from the hospital and counter case has been registered. 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 the 1st petitioner and the defacto complainant Selvamani are own brothers and on 16.05.2026, the petitioners herein / A1 & A2 made a quarrel with the de-facto complainant on account of civil dispute and they caused injury to the de-facto complainant with knife. He further submits that the injured person was discharged from the hospital after undergoing medical treatment of three days, and the 1st petitioner is a history sheeted rowdy element bearing HS No.316/2016 having been involved in three more previous cases and the 2nd petitioner has no previous case and counter case has been registered in Cr.No.185/2026, 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. Totally

two accused persons in this case. The petitioners are arrayed as A1 & A2. The occurrence is said to have taken place in between the parties on account of civil dispute. The injured person is said to have been discharged from the hospital in this case. Case and counter case are said to have been registered. It seems that the material part of investigation would have been almost completed by this time. By considering the above aspects and other facts and circumstances of the case, and nature of offences, 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 within 30 days from the date of this order, 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) If the petitioners fail to surrender before the Jurisdictional Magistrate within 30 days from the date of this order, 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.

Pronounced by me in Open Court, this the 1st day of June, 2026.

Principal Sessions Judge,
Thanjavur.(FAC)

Copy to:

The Judicial Magistrate No.II, Kumbakonam
The Inspector of Police, Kumbakonam taluk P.S.
The Counsel for the petitioners.