

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THANJAVUR.

PRESENT: Tmt. J. Tamilarasi, B.Com., M.L.,

Sessions Judge, Principal Special Court for Exclusive Trial of Cases
under POCSO Act, Thanjavur / Principal Sessions Judge, Thanjavur (FAC).

Friday, the 12th day of June, 2026.

Criminal Miscellaneous Petition No. 3458/2026

{CNR No. TNTJ01-004752-2026}

(1) Thamaraiselvan, aged 35/2026,
S/o. Shanmugasundaram.

(2) Surya, aged 24/2026,
S/o. Ramaiyan.

... Petitioners / A3 & 4

/ versus /

State of Tamil Nadu represented by Inspector of Police,
Thiruvaiyaru Police Station,
Crime No. 175/2026.

... Respondent / Complainant

This petition came up before this Court for hearing in the presence of Mr.C.Surendran, Learned Advocate appearing for the petitioners and Mr.S.Sathiamoorthy, Learned Public Prosecutor for the State and this Court passed the following ...

ORDER

This e-petition has been filed by the petitioners under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 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 punishable under Sections 296(b), 115(2), 118(1), 351(3) of the Bharatiya Nyaya Sanhita, 2023, in Cr. No. 175/2026 of Thiruvaiyaru Police Station and they have not committed any offences as alleged and they have been falsely implicated in this case and the injured person was discharged from hospital. He further submits

that co-accused/ A1 & A2 were granted bail by the Learned Judicial Magistrate and to that effect, he filed a Memo along with the copy of the bail order in CrI.M.P.No.241/2026 on the file of the Learned Judicial Magistrate, Thiruvaiyaru. 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 30.05.2026, on account previous dispute in a bar, totally four accused persons including the petitioners herein / A3 & A4 assaulted the father of the defacto-complainant Mohammed Jamal and when the defacto-complainant prevented the same, they abused the defacto-complainant in filthy language, caused injuries to him with wooden log and threatened him with dire consequences. He further submits that the injured person was discharged from hospital however, the investigation is pending and hence, he opposed to grant anticipatory bail to the petitioners.

Rival submissions are taken into consideration. Perused the records. There are totally four accused persons in this case. The petitioners are arrayed as A3 & A4. As per the case of the respondent, on account previous dispute in a bar, totally four accused persons including the petitioners herein / A3 & A4 assaulted the father of the defacto-complainant Mohammed Jamal and when the defacto-complainant prevented the same, they abused the defacto-complainant in filthy language, caused injuries to him with wooden log and threatened him with dire consequences. The injured person is said to have been discharged from hospital. Further, the co-accused / A1 & A2 are said have been enlarged on bail by the Order of the Learned Judicial Magistrate, Thiruvaiyaru, dated 03.06.2026 in CrI. M. P. No. 241/2026. By considering the above aspects, other facts and circumstances of the case, stage of investigation and nature of offence, 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 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 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 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 and

7) If the petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

Pronounced by me in Open Court, this the 12th day of June, 2026.

Principal Sessions Judge,
Thanjavur (FAC).

Copy to:

- (i) The Judicial Magistrate, Thiruvaiyaru.
- (ii) The Inspector of Police, Thiruvaiyaru Police Station.
- (iii) The Counsel for the petitioners.