

IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
THANJAVUR.

PRESENT: Thiru.K.H.Elavazhagan, B.Sc., M.L.,
Principal District and Sessions Judge, Thanjavur.

Tuesday, the 7th day of July 2026.

Criminal Miscellaneous Petition No.3935/2026

CNR No: TNTJ01-0055632026

Surya @ Byto Surya
S/o.Palanivel

... Petitioner / Accused

/ Vs /

The State represented by,
The Inspector of Police,
Thanjavur Taluk Police Station,
Cr.No.89/2026

... Respondent / Complainant

This is a petition filed by the petitioner u/s.483 of BNSS., seeking bail.

This petition coming on for final hearing before me today in the presence of Thiru.A.Stephenraj, advocate for the petitioner and of Thiru.R.Madialagan, Public Prosecutor appearing for the State and upon hearing the arguments of both sides and having stood over for consideration till this date, this Court has passed the following ...

ORDER

Heard both sides.

The petitioner/accused is seeking bail for the offences alleged to have been committed by him u/s. 109, 126(2), 191(2), 191(3), 296(b), 351(3) of BNS Act concerned in Cr.No.89/2026 of Thanjavur Taluk P.S.

The learned counsel for the petitioner/accused submits that in fact this petitioner is no way connected with the alleged offence and he has been falsely

implicated in this case. Co-accused have been granted bail by the Hon'ble Madurai Bench of Madras High Court in CrI.OP(MD) No.7304/2026 dated 15.04.2026. This petitioner is in judicial custody since 20.04.2026. He prays to release him on bail.

The learned Public Prosecutor submits that totally six accused in this case and the petitioner is the 2nd accused. He states that on 13.03.2026 at 10.00 Hours, when the defacto-complainant Mathiyazhagan along with his son was proceeding in his two-wheeler, the accused persons prevented him, assaulted with aruval and caused injuries to him. The injured person has been discharged from the hospital. Co-accused have been granted bail by this Court. The petitioner is a history sheeter bearing HS No.509/2020. Earlier bail application was dismissed by this Court in Cr.M.P.No.3018/2026 dated 14.05.2026. He states that if the petitioner is released on bail, it would cause prejudice to the further course of the investigation and hence, he objected to release him on bail.

It is seen that when the defacto-complainant Mathiyazhagan along with son was proceeding in his two-wheeler, the accused prevented him, assaulted him with aruval and caused injuries to him. The injured person has been discharged from the hospital. Co-accused have been granted bail by the Hon'ble Madurai Bench of Madras High Court. The petitioner is under judicial custody from 20.04.2026. Earlier bail application was dismissed in CrI.M.P.No.3679/2026 dated 18.06.2026.

Considering the facts and circumstances of the case, the nature of the offence, injured person has been discharged from the hospital and co-accused have been granted bail by the Hon'ble Madurai Bench of Madras High Court, I am of the view that granting bail to this petitioner would no way cause prejudice to the further course of the investigation and hence, I am inclined to allow this petition.

In the result, the petitioner/accused is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only), with two

sureties, each for a like sum to the satisfaction of the Jurisdictional Magistrate on further condition that;

(a) the petitioner shall sign before the respondent police daily at 10.30 a.m. until further orders,

(b) he shall not tamper with evidence or witness either during investigation or trial,

(c) he shall not abscond either during investigation or trial,

(d) on breach of any of the aforesaid conditions, the learned Magistrate/Trial court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560].

(e) If the accused thereafter abscond, a fresh FIR can be registered under section 269 of BNS Act.

Accordingly, this petition is allowed on conditions.

Pronounced by me in Open Court on this the 7th day of July 2026.

Principal District and Sessions Judge,
Thanjavur.

To:

The petitioner through counsel.

The Judicial Magistrate No.II, Thanjavur.

Respondent through Public Prosecutor.

The Superintendent, Central Prison, Trichy or the concerned Jail Authority where the petitioner is under judicial custody now.