

In the Court of Sessions, Tirunelveli Division
Before the Principal Sessions Judge, Tirunelveli.
PRESENT : **Thiru.N.VENKATAVARADAN, B.L.,**
PRINCIPAL SESSIONS JUDGE, TIRUNELVELI
Wednesday, the 17th day of June 2026.
Cr.M.P.No.2388/2026
(CNR No.TNTL 0100 4644 2026)

Premkumar, S/o.Erudhayam.

...Petitioner/Accused.

/Versus /

State: The Sub Inspector of Police,
Seevalaperi P.S
Cr.No.357/2026.

...Respondent/Complainant.

Petition dated:03.06.2026 U/s. 482 of B.N.S.S. through e-filing prays to grant anticipatory bail.

This petition is coming on this day for hearing before me, in the presence of THIRU.M.MAKESH, Advocate for the petitioner and THIRU.N.THIRUMALAI KUMAR, the Additional Public Prosecutor for the respondent and upon hearing both sides arguments, this Court passed the following :

ORDER

The Petitioner/accused seeks anticipatory bail for the alleged offences under Sections.296(b),118(1) and 351(3) BNS Act, registered by the respondent police.

The petitioner states that the petitioner apprehends, arrest, torture and harassment at the hands of the respondent for the offences under section 296(b), 118(1) and 351(3) BNS Act in Cr.No.357/2026. The Petitioner is innocent and he has not committed any offences. The alleged occurrence is said to have taken place on 30.05.2026 and reported on the same day. As per the allegations in the FIR, the petitioner is alleged to have abuse the defacto complainant who is a JCB Operator who came to dig for septic tank, assaulted and criminally intimidated him. In fact it is a civil dispute on the instigation of neighbour this false complaint has been lodged. The petitioner is ready to abide any conditions and therefore seeks to enlarge him on anticipatory bail.

The prosecution filed objections stating that, it is a case assaulting the defacto complainant in a path dispute and also causing criminal intimidation and also by attacking the defacto complainant with iron rod and caused injuries on the right hand and left leg. The respondent police also states that the defacto complainant took treatment as in-patient for 2 days. Further prosecution objected the petition stating that if the petitioner is released on bail, he will indulge in similar offence. Therefore objected to release the petitioner on anticipatory bail.

The point for consideration is: Whether the petitioner is entitled to the relief of anticipatory Bail as prayed for?

Point: Heard both sides. The petitioner states that, actually this is a civil dispute and the petitioner also injured and taking treatment in the hospital. The police being registered a case as against the petitioner herein on the complaint of the defacto complainant and the petitioner is ready to abide any condition. this Court upon consideration of these allegations finds that the dispute is actually a matter of civil one, but also found that the defacto complainant took treatment as in-patient for 2 days. Taking into consideration of these circumstance, this court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

- a) that in the event of arrest of the petitioner by the respondent/police or on his surrender before the learned Judicial Magistrate No.III Tirunelveli within 15 days from the date of this order and on such arrest or surrender the petitioner is ordered to be enlarged on anticipatory bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate No.III Tirunelveli **If the petitioner/accused is not surrender within 15 days from the date of this order this Anticipatory bail shall stands cancelled automatically;**
- b) that the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar Card or Bank Pass Book to ensure their identity;
- c) **that the petitioner shall report and sign before the respondent police, daily at 10.00 a.m., for a period of 15 days** and further respondent police is directed to submit the report, deviations if any committed by the petitioner in observing the above condition. On further condition that he shall make

available himself for interrogation as and when required by the investigation Officer ;

- d) that the petitioner shall not tamper with evidence or witness either during investigation or trial;
- e) that the petitioner shall not abscond either during investigation or trial;
- f) that 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);
- g) If the accused thereafter absconds, a fresh FIR can be registered U/s 269 BNS.

Pronounced by me in open court, this the 17th day of June 2026.

PRINCIPAL SESSIONS JUDGE,
TIRUNELVELI.