

In the Court of Sessions, Tirunelveli Division
Before the Principal Sessions Judge, Tirunelveli.
PRESENT : **Thiru.N.VENKATAVARADAN, B.L.,**
PRINCIPAL SESSIONS JUDGE, TIRUNELVELI
Friday, the 10th day of July 2026.
Cr.M.P.No.2721/2026
(CNR No.TNTL 0100 5182 2026)

Kamalesh, S/o.Paramasivan.

...Petitioner/Accused.

/Versus /

State: The Inspector of Police,
Thisayanvilai P.S
Cr.No.586/2026.

...Respondent/Complainant.

Petition dated:19.06.2026 filed U/s. 483 of BNSS prays to grant bail.

This petition is coming on this day for hearing before me, in the presence of THIRU.S.SHANMUGARAJ, Advocate for the petitioner and upon hearing the argument of the petitioner and on perusal of the reply filed by the respondent, this Court passed the following :

ORDER

The petitioner/accused was arrested and remanded to judicial custody on 09.05.2026, for the alleged offences under Sections.329(4),351(3),75(1)(i),75(2) of BNS Act, registered by the respondent police seeks bail.

The petitioner states that he has been accused for the alleged offences under Section 329(4),351(3),75(1)(i),75(2) of BNS Act in Cr.No.586/2026 by the Respondent Police . The Petitioner is innocent and he has not committed any offences. He was falsely implicated in this case. The alleged occurrence is said to have taken place on 08.05.2026 within a jurisdiction of the Respondent P.S. FIR is pending before the Judicial Magistrate Court, Thisyanvilai. The defacto-complainant gave complaint before the Respondent p.s. as if he trespassed into the house, abused her by using filthy language and sexually harassed her. This is a false case registered against the petitioner. Petitioner was arrested and remanded to judicial custody on 09.05.2026. This is a second bail application. Therefore seeks to enlarge him on bail. He is ready to abide any conditions.

The Prosecution objected the bail petition stating that petitioner has trespassed into the house of the defacto-complainant on 08.05.2026 at 11.30 hours and misbehaved with the defacto-complainant and further criminally intimidated her. Prosecution reported three other cases pending against the petitioner. Therefore, respondent objected to release the petitioner on bail. If the petitioner is released on bail, he will tamper the witnesses.

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

Point: Heard the petitioner. Petitioner claims that he is an innocent and this false case was foisted due to the previous enmity. As per the prosecution, the petitioner said to have been trespassed into the house of the defacto-complainant and misbehaved with her. Respondent objected the petitioner on the grounds of previous antecedents against the petitioner. This Court finds that now petitioner is undergoing judicial custody for the past 63 days. Under these circumstances, this Court taking into consideration of the detention period and other circumstances, is inclined to grant bail to the petitioner subject to the following conditions.

- i) that the petitioner is ordered to be enlarged on bail on executing his bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate, Thisayanvilai;
- ii) that 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;
- iii) **that the petitioner shall report and sign before the respondent police daily at 10.00 a.m., for a period of one month** 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 ;
- iv) that the petitioner shall not tamper with evidence or witness either during investigation or trial;

- v) that the petitioner shall not abscond either during investigation or trial ;
- vi) 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) ;
- vii) If the accused thereafter absconds, a fresh FIR can be registered U/S.269 BNS.

Pronounced by me in open court, this the 10th day of July 2026.

PRINCIPAL SESSIONS JUDGE,
TIRUNELVELI.

Copy To:-

The Judicial Magistrate, Thisayanvilai.
The Public Prosecutor, Tirunelveli.
The Inspector of Police, Thisayanvilai P.S
The Superintendent, Central Prison, Palayamkottai.
The Counsel for petitioner.