

IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT TIRUVALLUR

Present: Dr. J. JULIET PUSHPA, Ph.D. (Law)

Principal District and Sessions Judge, Tiruvallur

Friday, the 6th day of March 2026

CrI.M.P.No: 621/2026

1. Murugaesan S/o.Govinthan
2. Sarasa W/o.Murugesan

...Petitioners/Accused

//Versus//

State Rep. by the Inspector of Police,
R.K.Pettai Police Station
(Crime No: 38/2026)

.....Respondent/Complainant

Petition dated: 11/02/2026 u/s 482 of B.N.S.S., praying to grant anticipatory bail to the Petitioners

This petition coming on this day for hearing before me having the petition filed by the petitioners Counsel M/s.R.Vilvijayan and the respondent police through the Public Prosecutor and hearing the arguments of both sides, perusing the reply of the Public Prosecutor for the State/Respondent and perusing the records and material and hearing both sides, this court made the following:-

ORDER

Heard arguments of both side. Records perused. Petition filed u/s 482 BNSS seeking anticipatory bail to the petitioners who apprehends arrest in Cr.No.38/2026 on the file of R.K. Police Station for the alleged offences u/s 296(b), 118(1), 351(3) of BNS r/w 4 of TNPWH Act.

The learned counsel for the petitioners argued that, this case is in counter, there was only a wordy quarrel arose between petitioners and the de-facto complainant due to land dispute, the petitioners are innocents no way connected with the alleged offences, no one is injured and hospitalized, the petitioners have no bad antecedents, the petitioners are falsely implicated in this case and are ready to abide any conditions imposed by this court.

Notice given to concerned police. The learned Public prosecutor for the State raised objection to grant bail to the petitioners and argued that, the defacto complainant and the petitioners are brothers and they already had a land dispute with them, due to land dispute, on 23.01.2026 at 06.00 a.m., the petitioners quarreled with the defacto complainant's wife which was questioned by the defacto complainant, the petitioners abused the defacto complainant with filthy language and assaulted the defacto complainant with rod and threatened them with dire consequences, the defacto complainant sustained injuries taken to hospital treated later discharged, based on the complaint, FIR was registered u/s 296(b), 118(1) of BNS and investigation is pending.

The petitioner states in his petition that there is no similar bail petition is pending before any other Court including Hon'ble High Court, Madras and the respondent has also not stated as to pending of any bail petition before Hon'ble High Court, Madras in this case. Hence, this Court considers that there is no impediment to entertain this petition and pass orders on merits.

As per the reply of the learned Public Prosecutor, the 2nd petitioner is being a lady, and the petitioners are local residents and also first offenders. All the offences are punishable with imprisonment only upto 7 years. Thus, it does not appear that custodial interrogation of petitioners would be necessary.

Therefore, on considering

1. substantial part of investigation is completed,
2. that the injured had discharged,
3. the 2nd petitioner is being a lady, and the petitioners are local residents and also first offenders
4. the representation of the learned counsel for the petitioners are local residents and also first offenders will cooperate for enquiry and will abide by any condition,
5. and also considering other facts and circumstances,

this Court is inclined to grant anticipatory bail to the petitioners on imposing conditions.

In the result, Anticipatory bail is granted to the petitioners in the event of his arrest and on execution of a bond each for Rs.10,000/- with two sureties for the like sum each to the satisfaction of District Munsif cum Judicial Magistrate, Pallipattu. The petitioners shall surrender before the said Magistrate within 15 days from today and report before the respondent police daily by 10.00 AM for 30 days. The petitioner shall abide the condition as contemplated u/s 482 BNSS Any violation of the conditions, the Judicial Magistrate is entitled to take action as per the Judgment of the Supreme Court in P.K. Shaji Vs. State of Kerala AIR 2005 SCR 5560.

Dictated to the Shorthand Writer and Pronounced by me in Open Court on this 6th day of March 2026

**Principal District and Sessions Judge,
Tiruvallur**

Copy to:-

The Petitioner's Advocate M/s.R.Vilvijayan
Thiru. S.Murthy, Public Prosecutor for the State
The District Munsif cum Judicial Magistrate, Pallipattu
The Inspector of police, R.K.Pettai Police Station