

In the Court of the Vacation Sessions Judge, Tiruvarur.

**Present: Thiru. M.VADIVEL, B.Com.,B.L.,
Sessions Judge,
Special Court for trial of cases under SC and ST (PoA) Act., Thiruvarur.
Vacation Sessions Judge, Thiruvarur.**

Friday, this the 29th day of May 2026

CrL.M.P.No. 428/2026

Dhivakar (A1), aged 30/2026
S/o. Prakasam

... Petitioner/Accused.

Vs

State rep. through the Inspector of Police,
Kodavasal Police Station,
Crime Number 425/2021

... Respondent/Complainant.

This petition came up before this Court for hearing moved by Mr. S. Rajkumar, Advocate, for the petitioner/accused and Mr. D. Manivannan, Public Prosecutor for the State and upon perusing the petition and reply, this Court passes the following:-

ORDER

This petition has been filed by the petitioner under section 483 of Bharatiya Nagarik Suraksha Sanhita to grant bail with regard to the case in Crime Number 425/2021 of Kodavasal Police Station for the offence petition mentioned as punishable under sections 294(b), 323, 307, 506(ii) of IPC.

2. According to the petitioner, he had been remanded to judicial custody on 27.04.2026. Charge sheet had been filed punishable under sections 294(b), 323, 307, 506(ii) of IPC against the petitioner / accused and numbered as P.R.C. No.4/2025 and in the above said case, Non Bailable Warrant issued by the District Munsif-cum-Judicial Magistrate, Kodavasal on 27.04.2026. He is innocent person and not guilty of any offences in the above said case allegedly framed against him. He is the only bread-winner of the family. If the petitioner had released on bail, he will abide by any terms and conditions of this Hon'ble Court. The petitioner is ready to furnish sufficient sureties. An earlier bail application in Criminal Miscellaneous Petition Number 66/2026 was dismissed by the order of

District Munsif-cum-Judicial Magistrate, Kodavasal dated 28.04.2026 and hence seeks to grant bail to the petitioner.

3. Whereas the Public Prosecutor had submitted the reply of Respondent / Complainant in which it is stated that Non Bailable Warrant had been issued by the District Munsif-cum-Judicial Magistrate, Kodavasal on 27.04.2026 against the petitioner and had been remanded to judicial custody on 27.04.2026. If the accused let on bail, he will abscond to other state, he will involve in similar offence and hence strongly objected to let the accused on bail.

4. Reply received and perused. Heard. Considering the period of incarceration, the nature and gravity of offence and also other facts and circumstances of the case, this Court is inclined to grant bail to the petitioner.

5. In the result, this petition is allowed with the following conditions:

- (i) The petitioner shall execute a bond for a sum of Rs.15,000/- with two sureties each for a like sum to the satisfaction of the District Munsif-cum-Judicial Magistrate, Kodavasal.
- (ii) The petitioner and the sureties each shall affix their photographs and Left Thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity.
- (iii) The petitioners shall report before the Inspector of Police, Kodavasal Police Station daily at 10.30 a.m., for a period of one month from the date of release.
- (iv) The petitioner shall not tamper with evidence of witnesses either during investigation or trial.

- (v) The petitioner shall not abscond during period of trial and shall co-operate for completion of trial.
- (vi) 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 is released on bail by the learned Magistrate/Trial Court as laid down by the Hon'ble Supreme court in P.K. Shaji .Vs. State of Kerala ((2005) AIR SCW 5560)
- (vii) The petitioner has to surrender his original passed before the District Munsif-cum-Judicial Magistrate, Kudavasal.
- (viii) If the petitioner/accused thereafter abscond, a fresh FIR can be registered under section 269 BNS.

Pronounced by me, this the 29th day of May 2026.

**Vacation Sessions Judge,
Thiruvarur.**

Copy to (Through E-mail):

The District Munsif-cum-Judicial Magistrate, Kodavasal.

The counsel for the Petitioner.

The Inspector of Police, Kodavasal Police Station.