

**IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.**

Present: **Thiru.A.Kanthakumar, M.L.,**
Principal District and Sessions Judge,
Virudhunagar District at Srivilliputtur.

Dated this the 08th day of June 2026, Monday.

Cr.M.P. No.1618/2026

1. Mathan @ Mathankumar (A1)
2. Dhanushkumar (A2) ... Petitioners/Accused.

/ Vs /

State through the Inspector of Police,
Thiruthangal P.S.
Cr.No.203/2026
U/s. 296(b), 115(2) and 351(2) of BNS r.w.
Section 4 of TNPHW Act.

... Respondent/ Complainant.

This petition coming on this day before me for hearing in the presence of Thiru.R.Rajendran, Advocate for the petitioners and Thiru.S.Thirumalaiappan, Public Prosecutor for the respondent and upon hearing the argument of both sides, this court made the following

ORDER

It is an application for anticipatory bail u/s.482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS).

FIR was registered against the petitioners/A1 and A2 for the offences u/s.296(b), 115(2) and 351(2) of BNS r.w. Section 4 of TNPHW Act. The occurrence happened on 02-06-2026.

As per FIR, A1 was quarreling with the defacto complainant's daughter for the past some months and it was questioned by the defacto complainant and her husband a quarrel arose between them and in continuation to that on 02-06-2026 at about 8-30 pm when the defacto complainant and her husband are in front their house, A1 and A2 came with stick and abused the defacto complainant and her husband and attempted to assault her husband and

when the defacto complainant intervened, A1 assaulted with stick on her back head, both the accused pulled her in the street and further threatened to kill her. Hence, this case.

According to the learned counsel for the petitioners, the petitioners are innocent and they have not committed any such offence and prays to grant anticipatory bail to the petitioners. On the other hand, the learned Public Prosecutor contended that if the petitioners are granted anticipatory bail they would commit similar types of offences again and hence he objected to grant anticipatory bail to the petitioners.

Heard both. On a perusal of the records, it is seen that the case relates to allegations of assault and criminal intimidation. The learned Public Prosecutor strongly opposed the grant of anticipatory bail. On the other hand, the learned counsel for the petitioners submitted that Accused No.1 and the daughter of the defacto complainant were in a love relationship and that, pursuant thereto, the defacto complainant's daughter had left her parental home and joined Accused No.1. It was further submitted that, while the defacto complainant's daughter was residing in the house of Accused No.1, the parents of Accused No.1 advised her to return to her parental home. According to the learned counsel, when Accused No.1 approached the defacto complainant in connection with the said issue, a quarrel ensued and Accused No.1 was allegedly abused and assaulted by the defacto complainant, resulting in injuries to him.

Considering the nature of the allegations and the materials available on record, it is seen that, except for the offence under Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, the remaining offences are bailable in nature. The records further indicate that the dispute appears to have arisen out of a personal relationship and subsequent matrimonial issues between the parties.

Having regard to the facts and circumstances of the case, the nature of the allegations and the possibility of an amicable settlement between the parties in future, this Court is of the view that the petitioners have made out a case for grant of anticipatory bail. Accordingly, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

Accordingly the petition is allowed and the petitioners/A1 and A2 shall be released on bail in the event of their arrest or on appearance before the Judicial Magistrate No.II, Sivakasi, within two weeks on the following terms:-

i) The petitioners shall execute a personal bond for Rs.10,000/- with two sureties for the like to the satisfaction of the Judicial Magistrate No.II, Sivakasi.

ii) The petitioners/accused shall appear before the respondent PS everyday at 6-00 pm for 30 days.

iii) The petitioners shall not abscond either during the investigation or trial, that the petitioners shall not tamper with evidence or witness either during investigation or trial.

iv) The petitioners shall make themselves available for interrogation by a Police Officer as and when required.

v) The petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer.

vi) On breach of any of the aforesaid conditions, the Judicial Magistrate is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Judicial Magistrate himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala (2005) AIR SCW 5560.

Pronounced by me in the Open Court on this the 08th day of June 2026.

Principal District and Sessions Judge,
Virudhunagar District at
Srivilliputtur.

To

The Judicial Magistrate No.II, Sivakasi.

The Inspector of Police, Thiruthangal P.S