

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 09th day of June 2026, Tuesday .

Cr.M.P. No.1628/2026

Sundar @ Sundareshwara

... Petitioner/Accused.

/ Vs /

State through the Inspector of Police,
Rajapalayam South P.S.
Cr.No.283/2026
U/s.296(b), 109 and 351(3) of BNS.

... Respondent/ Complainant.

This petition coming on this day before me for hearing in the presence of Thiru.I.Vinayagamoorthy, Advocate for the petitioner 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 bail u/s.483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS)

FIR was registered against the petitioner/accused for the offences u/s.296(b), 109 and 351(3) of BNS. The occurrence happened on 17-05-2026 and the petitioner is under custody for the past 22 days from 17-05-2026 onwards.

As per the case of the prosecution is that on 17-05-2026, at about 4:00 PM, while the de facto complainant and his friend, Saravanan, were standing near the Gurusamy Temple at Ambalapuli Bazaar in Rajapalayam, the petitioner arrived at the spot and physically assaulted the defacto complainant. When questioned about his actions, the petitioner abused him in filthy language and in order to kill him, the petitioner attempted to slash the defacto complainant's neck with an *aruval* (sickle). The de facto complainant managed to evade the blow, thereby escaping injury and threatened to kill him.

According to the learned counsel for the petitioner, the petitioner is innocent and he has not committed any such offence and prays to enlarge the petitioner on bail. On the other hand, the learned Public Prosecutor contended that if the petitioner is released on bail he

would commit similar types of offences again and hence he objected to grant bail to the petitioner.

Heard both sides. Records perused. A perusal of the records reveals that this is a case involving serious allegations of attempt to murder and criminal intimidation. The learned Public Prosecutor strongly opposed the grant of bail to the petitioner. He contended that the petitioner abused the defacto complainant in filthy language, voluntarily caused hurt by violently pushing him down, and extended death threats. The learned Public Prosecutor further argued that the petitioner is a notorious habitual offender and a classified History-Sheeted (H.S.) rowdy with as many as 22 previous cases registered against him.

The learned counsel for the petitioner submitted that no physical injuries were sustained by the victim in the alleged incident. He argued that no overt act amounting to an attempt to murder can be attributed to the petitioner. He further submitted that the petitioner has been in judicial custody for the past 22 days and prayed for the grant of bail upon any conditions.

This Court has carefully considered the rival submissions and the other relevant material factors on record. It is evident that the petitioner faces grave charges of attempt to murder. Furthermore, the petitioner has bad criminal antecedents indicate that he is a habitual offender and he is the history sheeted rowdy with 22 previous cases to his name. Considering the gravity of the offense, the period of custody only for 22 days, the investigation is pending, hence, this Court is of the view that releasing the petitioner on bail at this stage would not be appropriate and the petition deserves to be dismissed.

In the result, the petition stands dismissed.

Pronounced by me in the Open Court on this the 09th day of June 2026.

Principal District and Sessions Judge,
Virudhunagar District at
Srivilliputtur.

To

The Inspector of Police, Rajapalayam South P.S