

In the court of the Principal Sessions Judge, Tiruppur

Present: Thiru. N.Gunasekaran, M.B.A., B.L.,
Principal Sessions Judge, Tiruppur.

Wednesday, the 15th day of July, 2026

Cr.M.P. No.1377 / 2026 (CNR No.TNTI18 002958 2026)

Chithambaravelan, aged 44 years

S/o.Venkatachalam

... Petitioner / Accused

.Vs.

State of Tamilnadu Represented by

The Inspector of Police,

Thirumuruganpoondi Police Station,

Tiruppur City.

(Cr.No.318/2026)

... Respondent/Complainant

This petition came for hearing on this day in the presence of Thiru.N.Murali, Counsel for the petitioner and upon hearing the petitioner's side and perusal of the records including the objection in writing submitted by the respondent police, this Court delivers the following:

ORDER

The Petitioner has filed the application U/s.483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking bail for the offence u/s.296(b), 115(2), 351(3) of BNS and Section 4 of TNPHW Act in Cr.No.318/2026 of the respondent police.

First Information Report is pending against the petitioner u/s.296(b), 115(2), 351(3) of BNS and Section 4 of TNPHW Act. The alleged date of occurrence is on 19.06.2026 and First Information Report was registered

Dated:14.07.2026

Principal Sessions Judge, Tiruppur

and the petitioner was arrested and remanded to judicial custody on the very same day and he is in incarceration for **past 26 days**.

The learned Counsel appearing for the petitioner would contend that the petitioner is innocent and has not committed any offence as alleged by the prosecution.

In contra, the respondent police would raise objection through a report in writing by stating that the petitioner being the husband was alleged to have been a drunkard often caused cruelty to his wife, and inflicted injury on a matrimonial dispute and hence, sought to dismiss the application.

Heard. Records perused. The alleged date of occurrence is on 19.06.2026 and First Information Report was registered and the petitioner was arrested and remanded to judicial custody on the very same day and he is in incarceration for **past 26 days**. No treatment was availed by the defacto complainant for the alleged injury and the alleged offence was alleged to have taken place out of matrimonial dispute. As per the report of concern police, no other previous case is pending against the petitioner. Major portion of the investigation might have been completed by considering the date of occurrence and the First Information Report.

By considering the principle laid down by **Hon'ble Supreme Court of India in Arnesh Kumar Vs. State of Bihar and another** reported in **AIR (2024) Supreme Court 2756**, the stage of investigation, duration of incarceration and the manner in which the offence alleged to have taken

place, this court is **inclined** to enlarge the petitioner on bail on following condition.

In the result, the petitioner/accused is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate, Avinashi** and on further condition that;

1) the petitioner should appear and sign before the respondent police daily at 10.00 a.m. until further orders.

2) the petitioner shall not tamper the evidence or witness either during investigation or trial,

3) the petitioner shall not abscond either during investigation or trial,

4) 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 it as laid down by the Honble Supreme Court in P.K.Shaji vs. State of Kerala (2005) AIR SCW 5560, and
5) If the accused thereafter abscond, a fresh FIR can be registered under section 269 BNS.

Accordingly, this petition is **allowed**.

Dictated to the steno-typist, typed by her, corrected and pronounced by me and uploaded in Case Information System on this 15th day of July, 2026

Principal Sessions Judge,
Tiruppur.

Copy to:

1. The Judicial Magistrate, Avinashi
2. The Public Prosecutor, Tiruppur.
3. The Inspector of Police, Thirumuruganpoondi Police Station, Tiruppur
4. Counsel for the Petitioner.
5. The Secretary, District Legal Services Authority, Tiruppur
through e-mail.
6. The Superintendent, Central Prison, Coimbatore (through e-mail)
(As per the Circular of Hon'ble High Court of Madras in
R.O.C.No.16380-A/2025/F1, P.Dis.No.53/2025, dated:25.04.2025).

Dated:15.07.2026

Principal Sessions Judge, Tiruppur