

In the Court of Principal Sessions Judge, Kanniyakumari District
at Nagercoil.

Present : Thiru B. Karthikeyan, B.L.,
Principal Sessions Judge.

Tuesday, the 10th day of February, 2026.

Crl.M.P. No. 417/2026

(CNR.No.TNKK01-000628-2026)

and

Intervening Petition in Crl.M.P. No. 493/2026

(CNR.No.TNKK01-000755-2026)

1. S. Ravi Kumar,

S/o. T. Sundaramahalingam

2. Soniya, W/o. S. Ravi Kumar

3. Barath, S/o. S. Ravi Kumar .. Petitioners in Crl.M.P. No.417/2026

/Vs./

Gowri Swari, W/o Sekar .. Intervenor/Defacto complainant

The State of Tamil Nadu,

Through the Inspector of Police,

Eathamozhi Police Station,

Crime No. 18/2026 of Eathamozhi Police Station,

Rep. by Public Prosecutor,

Nagercoil.

.. Respondent

Crl.M.P. No.417/2026 is filed by Advocate Thiru K. Pon Muthu Pandian, u/s 482 of BNSS, praying to grant anticipatory bail to the petitioners and the intervening petition in Crl.M.P. No.493/2026 is filed by Advocate Thiru R. Jeen Jacko, on behalf of the Intervenor/defacto complainant praying to dismiss the anticipatory bail petition filed by the accused in Crl.M.P.No.417/2026.

ORDER

Heard both sides. Perused the anticipatory bail petition and the intervening petition.

2. The petitioners/accused are alleged to have committed the offence u/s 329(3), 296(b), 324(4), 115(2) and 351(3) of BNS and Sec. 4 of TNPHW Act.

3. The case of the prosecution is that the accused persons attempted to evict the defacto complainant, assaulted her, abused her in filthy words and also criminally intimidated her. Hence, the charge.

4. The learned counsel for the petitioners submitted that the defacto complainant is the sister in law of the 1st petitioner and the husband of the defacto complainant is the own brother of 1st petitioner and the petitioners are innocent of the offences alleged against them and they have not committed any offences as alleged in the FIR and the 1st petitioner is the

absolute owner of the property and the real fact is that on 02.02.2026 at about 8.00 A.M. the defacto complainant attempted to evict the parents of 1st petitioner from his house and abused them in filthy language and assaulted them and the parents of the defacto complainant gave a complaint against the defacto complainant and prior to the present complaint, the defacto complainant's husband filed a civil suit in OS No. 13/2026 before the Principal Sub Court, Nagercoil and to strengthen the civil suit, this false case has been filed by the defacto complainant and except the offence u/s 4 of Tamil Nadu Prohibition of Harassment of Women Act, all other offences are available in nature and the injured was discharged from the hospital and the petitioners are ready to abide by any condition and prayed for anticipatory bail to the petitioners.

5. During enquiry, the defacto complainant filed an intervening petition and that petition was numbered as CrI.M.P. No.493/2026. The intervening petitioner is permitted to intervene.

6. The learned counsel for the intervening petitioner submitted that the 1st accused is the husband of the 2nd accused and the 3rd accused is the son of 1st and 2nd accused and there is a property dispute between the husband of the defacto complainant and his younger brother. Due to property dispute, on 02.02.2026, around 9.30 A.M. the accused

abused the defacto complainant and pulled her nighty and her hair and assaulted on her head, back and arms causing swollen injuries and the 2nd accused attacked with plastic bucket and caused injuries. The 1st accused is a habitual offender and he has several criminal cases and the 2nd and 3rd accused also behaved as a rowdy elements. If the petitioners are granted bail, there is a life threat to the defacto complainant and the investigation of the case is not yet over and prayed that either the petition may be dismissed or if the petition is allowed, stringent condition is to be imposed.

7. The learned Public Prosecutor opposed the application and submitted that the 2nd accused is the wife of the 1st accused and the 3rd accused is the son of 1st and 2nd accused. There is a property dispute between the defacto complainant and the petitioners and a civil suit is also pending. On 02.02.2026 the petitioners trespassed into the house of the defacto complainant and abused the defacto complainant and the 3rd accused demolished the wall of the house of defacto complainant with hammer and the 1st accused pulled the nighty of the defacto complainant and assaulted all over her body with hand and the 2nd accused assaulted the defacto complainant with plastic bucket and the injured was discharged from the hospital and the investigation is not yet over and he has serious objection to grant anticipatory bail to the petitioners and the petition may be dismissed.

8. Considering the nature of the offences alleged to have been committed by the petitioners/accused and also considering the fact that the husband of the defacto complainant is the brother of the 1st accused and there is a property dispute between the petitioners and the defacto complainant and also a civil suit is pending between the parties and also considering the dispute and the relationship between the parties, this court is inclined to grant interim anticipatory bail to the petitioners/accused till 10.03.2026 with conditions.

9. In the result in the event of arrest or on their appearing before the court concerned the petitioners/accused are ordered to be enlarged on interim bail till 10.03.2026 on their executing a bond for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of Judicial Magistrate No.III, Nagercoil subject to the following conditions :-

- i. The petitioners shall appear before the court concerned within 15 days from today without fail.
- ii. After release, the petitioners shall appear and sign before the respondent police daily at 10.00 A.M until further orders.
- iii. The petitioners shall also make themselves available before the respondent as and when required.
- iv. The petitioners shall not tamper with the witnesses or in any manner

interfere with or put obstacle to the smooth progress of investigation.

- v. The petitioners shall not leave the jurisdictional police limit without prior permission.

If there is any violation of condition, the Investigation Officer is with in his discretion to approach the court of the learned Judicial Magistrate for cancellation of bail even though bail granted by the Sessions Court as per the ruling of the Hon'ble Supreme Court reported in **P.K.Shaji /Vs./ State of Kerala, (2005) AIR S.C.W. 5560.**

The petitioners/Accused and the defacto complainant are directed to appear before the Mediation Centre, Nagercoil on 24.02.2026 at 11.30 A.M. and other subsequent dates to be fixed by the Mediators for mediation.

Call on 11.03.2026.

Pronounced by me in open court this the 10th day of February, 2026.

Principal Sessions Judge,
Nagercoil.

To
The Judicial Magistrate No.III, Nagercoil. (through e-Mode)
The Mediation Centre, Nagercoil. (through e-Mode)
The Inspector of Police, Eathamozhy Police Station.
(through court cell e-Mode)
The counsel for the petitioners.

