

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

Present : Thiru K. Dhanasekaran, M.L., L.L.M.
Principal Sessions Judge.

Wednesday, the 10th day of June, 2026.

Crl.M.P. No. 950/2026

(CNR.No.TNKK01-001080-2026)

Sahayajoseph Vijay

S/o. Sivalingam

... Petitioner/
Defacto complainant

/Vs./

1. Murugesan, S/o Chellappan

2. Kumar, S/o Arumugaraj

3. Athilingam, S/o Thirumal

4. Sethirabalan @ Balan,

S/o Radhakrishnan

5. Sivalingsan, S/o Suyambulingam

6. Suthan, S/o Edward Muthuraj

7. Thiruvananthaperumal @ Perumal

S/o Chellathurai

.. Respondents/Accused

8. The State of Tamil Nadu,

Through the Inspector of Police,

Anjugramam Police Station,

Crime No. 12/2026 of Anjugramam P.S.

Rep. by Public Prosecutor, Nagercoil. ... Respondent/Complainant

This petition coming on today for final hearing before me in the presence of Thiru K. Pon Muthu Pandian, Advocate for the petitioner/defacto complainant and Thiru P. Ramesh, Advocate for the respondents 1 and 7 and Thiru R. Jawaharlal, Advocate for the respondents 2 to 6 and Thiru P. Linus Raj, Public Prosecutor for the 8th respondent and upon hearing both side and upon perusing the materials available on record, this court delivered the following :-

ORDER

This petitioner/defacto complainant has come up with the present petition seeking cancellation anticipatory bail granted to the respondents 1 to 7 in CrI.M.P.No. 208/2026, dated 22.01.2026 in connection with the Crime No.12/2026 of Anjugramam Police Station for the offence u/s 189(2), 329(4), 296(b), 115(2), 351(2) and 303(2) of BNS and Section 4 of TNPHW Act. It would be claimed that on 12.01.2026 at about 5.50 P.M. the accused persons formed themselves into an unlawful assembly and abused the defacto complainant and assaulted him. Subsequently, the petitioners were granted anticipatory bail by this court on 22.01.2026 in CrI.M.P. No. 208/2026 with condition. On 27.01.2026 one of the accused namely Athilingam sent more than 15 letters to various Government departments in

the name of the defacto complainant relating to mines and minerals, seeking to stop the quarry operations in Tirunelveli District. Some of the letters were returned and the defacto complainant came to know that his name and signature had been misused by the said accused, which was questioned by the defacto complainant, the accused threatened him. So he lodged a criminal complaint which was registered as CSR No. 100/2026, dated: 04.02.2026. Further it would be contended that, on 15.02.2026 the accused persons followed the defacto complainant and criminally intimidated him and so he lodged another criminal complaint before the respondent police which was registered as CSR No. 131/2026. The acts clearly establish that the accused had misused the liberty granted to them and have acted in a manner inconsistent with the conditions of bail and prayed that anticipatory bail granted in favour of the respondents 1 to 7 may be cancelled.

2. The respondents 1 and 7 filed a counter statement in and by which it would be contended that the respondents 1 and 7 have been complying the condition regularly and this court modified the condition as per order in CrI.M.P. No.780/2026, dated: 06.03.2026. Mere apprehensiojn of insecurity is not a valid reason to cancel the bail granted to the respondents 1 and 7 and prayed that the petition may be dismissed.

3. The respondents 2 to 6 filed a counter statement in and by which it would be contended that the petitioner has filed this petition with malicious intention to harass the respondents to misuse the process of law and it is settled principle of law that bail once granted cannot be cancelled in a mechanical manner unless there are cogent and overwhelming circumstances, such as misuse of liberty, tampering with evidence, threatening witnesses and they would not attempt to do any any such activities. Further it would be contended that thge respondents 1 to 7were granted anticipatory bail by this court on 22.01.2026 in Crl.M.P. No. 208/2026 with condition and subsequently, the condition was relaxed by this court as per order in Crl.M.P. No.994/2026, dated: 30.03.2026. The petitioner had given two complaints against the accused persons before the respondent police and that petitions were closed. The petitioner has deliberately suppressed the material facts and has approached this court without clean hands and prayed that the petition may be dismissed.

4. The learned Public Prosecutor filed a report stating that the accused were already granted anticipatory bail by this court. On 04.02.2026 the petitioner gave a complaint before the respondent police regarding quarry and CSR was given as CSR No. 100/2026 and again he

gave a complaint before the respondent police and CSR was given as CSR No. 131/2026 and after enquiry, that complaints were closed as false. So, this petition is not maintainable and the petition may be dismissed.

5. Heard both. Perused the materials on record.

6. **The point for consideration is :-**

(i) Whether the present petition deserves to be allowed ?

7. **Point for consideration :-**

The FIR has been registered u/s 189(2), 329(4), 296(b), 115(2), 351(2) and 303(2) of BNS and Section 4 of TNPHW Act. A perusal of records shows that the respondents 1 to 7 were granted anticipatory bail on 22.01.2026 in CrI.M.P.No.208/2026 and as per order in CrI.M.P. No.994/2026 the condition was modified in respect of respondents 1 and 7 on 06.03.2026 that the respondents 1 and 7 shall appear and sign before the respondent police weekly once i.e on every Monday at 10.00 A.M. until further orders and as per order in CrI.M.P. No.994/2026 the condition was totally relaxed in respect of respondents 2 to 6 on 30.03.2026. Though the learned counsel for the petitioner/defacto complainant represented that the respondents 1 to 7 threatened the defacto complainant and complaints were

given before the respondent police, the learned Public Prosecutor represented that after enquiry, that complaints were closed as false. Considering the submission of the learned Public Prosecutor, this court is of the view that the anticipatory bail granted to the respondents 1 to 7 does not deserve to be cancelled. As such, the present petition deserves to be dismissed.

8. In the result, this petition is dismissed.

Dictated to the Steno-typist, typed by her, corrected and pronounced by me in open court this the 10th day of June, 2026.

Principal Sessions Judge,
Nagercoil.

Principal Sessions Court,
Kanniyakumari at Nagercoil.
Order in
Crl.M.P. No.950/2026
Dt: 10.06.2026

