

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

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

Wednesday, the 11th day of March, 2026.

CrI.M.P. No. 757/2026

(CNR.No.TNKK01-001235-2026)

Biju, S/o. Francis

.. Petitioner

/Vs./

State of Tamil Nadu,

Through the Inspector of Police,

Nesamony Nagar Police Station,

Crime No. 39/2026 of Nesamony Nagar Police Station,

Rep. by Public Prosecutor, Nagercoil.

.. Respondent

This petition is filed by Advocate Thiru R. Dhinesh, u/s 482 of
BNSS praying to grant anticipatory bail to the petitioner.

ORDER

Heard both side. Perused the petition.

2. The petitioner/accused is alleged to have committed the
offence u/s 296(b), 115(2), 324(4) and 351(3) of BNS.

3. The case of the prosecution is that on 22.02.2026 at about 2.12 P.M., while the defacto complainant was standing Christhu Nagar Auto Stand, at that time the accused and two identified persons came there in a drunken mood and damaged the glass of the auto rickshaw bearing Reg.No. TN 74 BD 1676 and threatened him. Hence the charge.

4. The learned counsel for the petitioner submitted that the petitioner is innocent and no such occurrence was happened as alleged in the FIR and he has been falsely implicated in this case and the injured was discharged from the hospital and the petitioner is ready to abide by any condition and prayed for anticipatory bail to the petitioner.

5. The learned Public Prosecutor opposed the application and submitted that totally there are three accused in this case and this petitioner is A1 and on 22.02.2026, the petitioner and two other accused came near the auto stand in a car in drunken mood and abused the defacto complainant and assaulted him with brandy bottle and stone on the head of the defacto complainant and also caused damage to the auto rickshaw and the injured was treated as outpatient and the investigation is not yet over and he has serious objection to grant anticipatory bail to the petitioner and the petition may be dismissed.

6. Considering the nature of the offences alleged to have been

committed by the petitioner/accused and also considering the argument of the learned Public Prosecutor that the injured was treated as outpatient, this court is inclined to grant anticipatory bail to the petitioner/Accused with conditions.

7. In the result, in the event of arrest or on his appearing before the court concerned the petitioner is ordered to be enlarged on bail on his executing a bond for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of Judicial Magistrate No.II, Nagercoil subject to the following conditions:-

- i. The petitioner shall appear before the court concerned within 15 days from today without fail.
- ii. After release, the petitioner shall appear and sign before the respondent police daily at 10.00 A.M. until further orders.
- iii. The petitioner shall also make himself available before the respondent as and when required.
- iv. The petitioner shall not tamper with the witnesses or in any manner interfere with or put obstacle to the smooth progress of investigation.
- v. The petitioner 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.***

Pronounced by me in open court this the 11th day of March, 2026.

Principal Sessions Judge
Kanniyakumari at Nagercoil.

To
The Judicial Magistrate No.II, Nagercoil. (through e-mode)
The Inspector of Police, Nesamony Nagar Police Station.
(through court cell e-mode)
The counsel for the petitioner.