

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.

Crl.M.P. No. 762/2026 (CNR.No.TNKK01-001237-2026)

Crl.M.P. No. 770/2026 (CNR.No.TNKK01-001245-2026)

and

Intervening Petition in Crl.M.P. No.838/2026
(CNR No.TNKK01-1338-2026)

1. M. Reghu S/o. Murugesan (A3)
2. S. Vikesh S/o. Sathiyadhas (A4)
3. A. Suman @ Sree Suman (A5)
S/o Anbazhagan
4. J. Starvin Jebaraj, S/o Jebaraj (A6)
5. R. Renjith, S/o Ramachandran (A7)

...Petitioners in Crl.M.P. No.762/2026

1. Edward Bright S/o. Joseph (A1)
2. Ida Bel W/o. Edward Bright (A2)

...Petitioners in Crl.M.P. No.770/2026

/Vs./

Jayashree W/o.Thanu

... Intervening petitioner/
Defacto complainant

The State of Tamil Nadu,
Through the Inspector of Police,
Vadasery Police Station,
Crime No.69/2026 of Vadasery Police Station
Rep by Public Prosecutor, Nagercoil.

...Respondent

Crl.M.P. No.762/2026 and 770/2026 are filed by Advocates Tvl. Bala Janathipathy and S. Varatharajan respectively, u/s 482 of BNSS praying to grant anticipatory bail to the petitioners in both petitions and the intervening petition in Crl.M.P. No.838/2026 is filed by the defacto complainant namely Jayashree praying to dismiss the anticipatory bail petition in Crl.M.P. No.770/2026.

COMMON ORDER

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

2. Crl.M.P. Nos. 762/2026 and 770/2026 are filed by different accused, but in same crime number.

3. The petitioners/accused are alleged to have committed the offences u/s. 49, 191(2), 191(3), 329(4), 324(5), 296(b), 115(2), 118(1), 74, 303(2) and 351(3) of BNS.

4. The case of prosecution is that on 23.02.2026 at 4.30 P.M. at Church street, Vettoornimadam while the informant Jayashree was on her

way to her house, on the instigation of the 1st accused, the 2nd accused along with 22 others armed with deadly weapons were breaking the door of the informant. While so, the informant intervened and attempted to enter into the house by pushing the 2nd accused, other persons pushed the informant by pulling her shawl and further used filthy words and kicked her on her chest and back and while so the husband of the informant intervened, the 2nd accused instigated other persons to kill the informant's husband and so the other accused beat the informant's husband with LED TV and chair on his head, right cheek and right hand and while the informant and her husband are lying over the ground, five goondas criminally intimidated them and they have stolen the household articles worth Rs.76 Lakhs. Hence the charge.

5. The learned counsel for the petitioners in CrI.M.P. No.762/2026 submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and a civil appeal in AS No.76/2025 is pending between the defacto complainant's husband and his father and there is no specific overt act attributed against the petitioners and the petitioners have been falsely implicated in this case and the petitioners are ready to abide by any condition and prayed for anticipatory bail to the petitioners.

6. The learned counsel for the petitioners in CrI.M.P.

No.770/2026 submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and the real fact is that the father in law of the informant has sold his house to the 2nd accused on 23.02.2024 through a sale deed. The said house is the exclusive property of the father in law of the informant. Due to the said sale, there was some misunderstanding between the defacto complainant's husband and his father. For that AS No.73/2025 is pending before the Additional District Court, Kuzhithurai and there is no specific overt act attributed against the petitioners and the petitioners have been falsely implicated in this case and the petitioners are ready to abide by any condition and prayed for anticipatory bail to the petitioners.

7. When this petition came up before this court for enquiry, the defacto complainant has filed the intervening petition. That petition was numbered as CrI.M.P. No.838/2026. The intervening petitioner is permitted to intervene.

8. The intervening petitioner submitted that the defacto complainant's father in law sold the property to the 2nd accused, who is the wife of the 1st accused and that 1st accused has working as a Sub Inspector of Police in Kanyakumari Police Station by using his influence and that on 23.02.2026 at about 2.30 P.M. the defacto complainant locked and left the home to shop, afterwards she returned back to the home at about 4.30 P.M.,

at that time, the main door of her house was broken and the household things along with educational certificates, books, school uniform of her child and a gold articles (58 sovereigns) kept in her locker worth about Rs.76,00,000/- are stolen by the 2nd accused along with some advocates and their associates with the direction of 1st accused. The defacto complainant questioned about the activities done by the 2nd accused and her associates that the associates along with gonads more about 20 persons are started to scold with abusive words with her and assaulted her and her husband and gave a life threat to us with showing deadly weapons. If the accused 1 and 2 are released in bail, the stolen properties worth about Rs. 76,00,000/- will not able to recover by the investigation agencies and moreover, the respondents were abscond and escaped from the clutches of law. The accused is an influential person and possess political, financial and rowdy elements and if they are released on bail, definitely they will tamper the evidences and the life of the petitioner will be put into question and the custodial interrogation of the accused is very necessary to this case and that the release of the accused 1 and 2 will cause a great threat to the defacto complainant and her family members and prayed that the anticipatory bail petition in Crl.M.P. No.770/2026 may be dismissed.

9. The learned Public Prosecutor opposed the application submitted that the 1st and 2nd accused are husband and wife. The 1st accused

is working as Sub Inspector of Police. On 23.02.2026, the accused 2 to 7 and some other accused trespassed into the house of the defacto complainant with hammer and crowbar and break open the door of the house of the defacto complainant. The defacto complainant raised alarm and so A2 to A7 and others abused the defacto complainant and pushed her down and pulled her nighty and outraged her modesty. The husband of the defacto complainant came to rescue her. So the 2nd accused instigated other accused to assault the husband of the defacto complainant. So, other accused assaulted him and stolen the household articles including almirah wherein she kept 58 sovereigns of gold jewels and a cash of Rs.38,000/- of the defacto complainant. So this case has been registered and the injured persons discharged from the hospital. Property owned by the father in law of the defacto complainant and it is a self acquired property. The father in law of the defacto complainant executed a sale deed in favour of A2, who is the wife of A1 and the investigation of the case is not yet over and he has serious objection to grant anticipatory bail to the petitioners in both petitions and the petitions may be dismissed.

10. The allegations levelled against the petitioners are very serious in nature. They are also said to be lawyers by profession. Considering the objection of the learned Public Prosecutor as well as the contention of the intervening petitioner/defacto complainant that the

petitioners along with some others trespassed into the house of the defacto complainant and abused the defacto complainant and pushed her down and pulled her nighty and outraged her modesty and assaulted the husband of the defacto complainant and they stolen the household articles, 58 sovereigns of gold jewels and a cash of Rs.38,000/- of the defacto complainant and though the civil appeal is pending between the defacto complainant's husband and his father, considering the nature of the offence and also the fact that the FIR has been registered only on 24.02.2026 and the investigation of the case is in the preliminary stage, if the petitioners are granted bail, the possibility of causing obstruction for the investigation cannot be ruled out. Therefore, this court is not inclined to grant anticipatory bail to the petitioners/accused in both petition at this stage. Hence, both petitions deserve to be dismissed.

11. In the result, the intervening petition in CrI.M.P. No. 838/2026 is allowed and the anticipatory bail petitions in CrI.M.P. Nos. 762/2026 and 770/2026 are dismissed.

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

Principal Sessions Judge,
Kanniyakumari at Nagercoil.