

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

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

Wednesday, the 11<sup>th</sup> day of March, 2026.

Crl.M.P. No. 793/2026

(CNR.No.TNKK01-001270-2026)

Abel S/o. Thomas

... Petitioner

/Vs./

State of Tamil Nadu,

Through the Inspector of Police,

Kollencode Police Station,

Crime No.45/2026 of Kollencode Police Station,

Rep. by Public Prosecutor, Nagercoil.

... Respondent

This petition is filed by Advocate Thiru R. Suresh Babu, 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) and 118(1) of BNS.

3. The case of the prosecution is that on 23.02.2026 at about 12.30 P.M., near Elampala Junction, the accused abused the defacto complainant in filthy language and assaulted on his nose with key of Auto Rickshaw. 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 on 23.02.2026, when the defacto complainant came in a motorcycle, the petitioner attempted to hit him with his auto rickshaw, which was questioned by the defacto complainant and suddenly the petitioner abused the defacto complainant and assaulted him with key of auto rickshaw on his forehead and the injured was discharged form the hospital 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 though the learned Public Prosecutor objected that the investigation is not yet over, considering the fact

that the injured was discharged from the hospital, 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, Kuzhithurai 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 11<sup>th</sup> day of March, 2026.

Principal Sessions Judge  
Kanniyakumari at Nagercoil.

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