

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

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

Thursday, the 12th day of March, 2026.

CrI.M.P. No.806/2026

(CNR.No.TNKK01-001271-2026)

1. Josephine Raj @ Josphin Raj (A1)
S/o. Thopiyas
2. Aljin Raj @ Algin Raj S/o. Sundar Raj (A2)
3. Sundar Raj S/o. Mariyasebasthiyar @ Sebasthiyan (A3)
4. Reetha Mary W/o. Sundar Raj (A4) .. Petitioners

/Vs./

The State of Tamil Nadu,

Through the Sub Inspector of Police,

Karungal Police Station,

Crime No.48/2026 of Karungal Police Station,

Rep. by P.P. Nagercoil.

.. Respondent t

This petition is filed by Advocate Thiru M. Beslin Jagadheese,
u/s 482 of BNSS praying to grant anticipatory bail to the petitioners.

ORDER

Heard both side. Perused the petition.

2. The petitioner/accused is alleged to have committed the offence u/s 126(2), 296(b), 49, 115(2), 118(1), 189(2) and 351(3) of BNS @ u/s 126(2), 296(b), 49, 115(2), 118(1), 189(2), 351(3) and 109(1) of BNS.

3. The case of prosecution is that on 16.02.2026 at about 8.00 P.M., the informant's husband was coming near Karungal to Colachel Road, the accused came there and used filthy words against him due to previous enmity and then, the accused assaulted him with iron rod and criminally intimidated him. Hence the charge.

4. The learned counsel for the petitioners submitted that the petitioners are innocent of the offences alleged against them and they have not involved in any offences as alleged and they have been falsely implicated in this case with a view to wreak vengeance and the injured was discharged from the hospital and also filed a memo stating that during pendency of this petition, the 2nd petitioner/A2 was arrested on 06.03.2026 and the petitioners 1, 3 and 4 are ready to abide by any condition and prayed for anticipatory bail to them and the petition may be dismissed in respect of the 2nd petitioner/A2 as withdrawn.

5. The learned Public Prosecutor opposed the application and submitted that there is a pathway dispute between the petitioners and

the defacto complainant. On 14.02.2026, the petitioners abused the defacto complainant and assaulted her with hand and pushed her down and kicked her with leg and so, the complaint was given before the respondent police. In the meantime, on 16.02.2026, the petitioners assaulted the defacto complainant and her husband with iron rod. She sustained severe injury and now the injured was discharged from the hospital and the 2nd petitioner/A2 was arrested on 06.03.2026 and the investigation is not yet over and he has serious objection to grant bail to the petitioner and the petition may be dismissed.

6. During the pendency of this petition, the 2nd petitioner/A2 was arrested on 06.03.2026. Therefore, the petition in respect of 2nd petitioner/A2 deserves to be dismissed as withdrawn. Considering the nature of the offences alleged to have been committed by the petitioners/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 petitioners 1, 3 and 4 with conditions.

7. In the result, in the event of arrest or on their appearing before the court concerned the petitioners 1, 3 and 4 are ordered to be enlarged on bail on their executing a bond for a sum of Rs.10,000/- each

with two sureties each for a likesum to the satisfaction of Judicial Magistrate, Eraniel subject to the following conditions:-

- i. The petitioners 1, 3 and 4 shall appear before the court concerned within 15 days from today without fail.
- ii. After release, the petitioners 1, 3 and 4 shall appear and sign before the respondent police daily at 10.00 A.M. until further orders.
- iii. The petitioners 1, 3 and 4 shall also make themselves available before the respondent as and when required.
- iv. The petitioners 1, 3 and 4 shall not tamper with the witnesses or in any manner interfere with or put obstacle to the smooth progress of investigation.
- v. The petitioners 1, 3 and 4 shall not leave the jurisdictional police limit without prior permission.

If there is any violation of condition, the Investigation Officer is with in their 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.***

Petition in respect of the 2nd petitioner/A2 is dismissed as withdrawn.

Pronounced by me in open court this the 12th day of March, 2026.

Principal Sessions Judge,
Kanniyakumari at Nagercoil.

To
The Judicial Magistrate, Eraniel. (through e-mode)
The Sub Inspector of Police, Karungal Police Station.
(through court cell e-mode)
The counsel for the petitioners.