

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

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

Tuesday, the 14th day of July, 2026.

Crl.M.P. No. 1208/2026
(CNR.No.TNKK01-001899-2026)

and

Intervening Petition in Crl.M.P. No. 1227/2026
(CNR.No.TNKK01-001946-2026)

Justin Regis, (A1)

C/o Antony Curuz

...Petitioner in Crl.M.P.No.1208/2026

/Vs./

Sahaya Vinciya,

W/o Santhiyarayappan

.. Intervening Petitioner/Defacto
Complainant

The State of Tamil Nadu,

Through the Inspector of Police,

Kanyakumari Police Station,

Crime No. 94/2026 of Kanyakumari Police Station,

Rep. by P.P. Nagercoil.

...Respondent

Crl.M.P. No. 1208/2026 is filed by Advocate Thiru A. Jegan Lal, u/s 482 of BNSS, praying to grant anticipatory bail to the petitioner and the intervening petition in Crl.M.P. No.1227/2026 is filed by Advocate Thiru R. Jawaharlal, on behalf of the Intervenor/defacto complainant praying to dismiss the anticipatory bail petition filed by the accused in Crl.M.P. No.1208/2026.

ORDER

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

2. The petitioner/accused is alleged to have committed the offences u/s 296(b), 115(2), 324(4), 329(4) and 351(2) of BNS and Sec. 4 of TNPHW Act.

3. The case of prosecution is that on 03.04.2026, the accused trespassed into the property of the defacto complainant, used filthy words and attacked the defacto complainant with hand, damaged the property and also criminally intimidated him.

4. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged in the FIR and there is a money dispute between the petitioner and the defacto complainant and the petitioner gave a complaint before the respondent

police against the defacto complainant and her husband in CSR No. 85/2026, dated: 06.02.2026 and due to this motive, the defacto complainant lodged a false complaint against the petitioner and the injured was discharged from the hospital and the investigation of the case is almost over and the petitioner is ready to abide by any condition and prayed for anticipatory bail to the petitioner.

5. During enquiry, the defacto complainant filed an intervening petition and that petition was numbered as CrI.M.P.No. 1227/2026. The intervening petitioner is permitted to intervene.

6. The learned counsel for the intervening petitioner submitted that on 03.04.2026 the accused unlawfully trespassed into the house of the defacto complainant and abused her in filthy language and outraged her modesty by tore her clothes and touched her private parts. The husband of the defacto complainant is a physically challenged person, attempted to intervene, the accused assaulted him and pushed him down in a humiliating manner. Subsequently, the accused along with some other persons trespassed into her shop, broke open the lock, damaged the property and criminally intimidated her and prevented her from entering the shop. The offence committed by the petitioner is serious in nature. Even after registration of FIR, the accused is continuing his illegal acts and the accused along with a group of about four men and two women have

unlawfully taken possession of her shop and preventing her from entering and carrying on her livelihood and till now they are in possession of her shop. The accused is a habitual offender and his custodial interrogation is necessary and the investigation of the case is not yet over and prayed that this petition may be dismissed.

7. The learned public Prosecutor opposed the application and submitted that on 03.04.2026, the accused trespassed into the property of the defacto complainant and attacked the defacto complainant with hand and outraged her modesty and the investigation of the case is not yet over.

8. On the above said contentions, on 20.04.2026 this court directed the petitioner and the defacto complainant to appear before the Mediation Centre, Nagercoil on 24.04.2026 and other subsequent dates to be fixed by the Mediators for mediation.

9. The learned counsel for the petitioner and the defacto complainant submitted that the matter settled between the parties and the petition may be allowed.

10. Mediation Report received. A perusal of Mediation Report, dated 29.06.2026 received from the Mediation Centre, Nagercoil, shows that mediation was completed and settlement has been arrived between the parties as mentioned in the settlement agreement. Considering the fact that the matter is settled before Mediation, there appears to be no necessity for

custodial interrogation, this court is inclined to grant anticipatory bail to the petitioner/accused with conditions.

11. In the result, in the event of arrest or on his appearing before the court concerned the petitioner is ordered to be enlarged on anticipatory 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, Additional Mahila Court, 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 14th day of July, 2026.

Principal Sessions Judge,
Kanniyakumrai at Nagercoil.

To

The Judicial Magistrate, Additional Mahila Court, Nagercoil.

(through e-mode)

The Mediation Centre, Nagercoil. (through e-Mode)

The Inspector of Police, Kanyakumari Police Station.

(through court cell e-mode)

The counsel for the petitioner.