

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

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

Thursday, the 30th day of April, 2026.

Crl.M.P. No. 1294/2026 (CNR No.TNKK01-002005-2026)

and

Intervening Petition in Crl.M.P. No.1308/2026

(CNR No.TNKK01-002054-2026)

and

Crl.M.P. No. 1315/2026 (CNR No.TNKK01-002041-2026)

Crl.M.P. No. 1294/2026 :-

1. Jayasekar, S/o Ambrose (A1)
2. Bensigar, S/o Gunamony (A2)
3. Blesso B S, S/o Bensigar (A3) .. Petitioners in Crl.M.P. No.1294/2026

/Vs./

M. Anantha Krishnan,

S/o Mahalingam

.. Intervening Petitioner/Defacto
complainant

The State of Tamil Nadu,

Rep. by Inspector of Police,

Marthandam Police Station,

Crime No.161/2026 of Marthandam Police Station,

Through the Public Prosecutor,

Nagercoil.

... Respondent/
Complainant

Crl.M.P. No. 1315/2026 :-

M. Anantha Krishnan,

S/o Mahalingam

.. Petitioner

/Vs./

1. The State of Tamil Nadu,

Rep. by Inspector of Police,

Marthandam Police Station.

2. Jayasekar, S/o Ambrose (A1)

3. Bensigar, S/o Gunamony (A2)

4. Blesso B S, S/o Bensigar (A3)

... Respondents

Crl.M.P. No. 1294/2026 is filed by Advocate Thiru R. Arjun Subash @ Mano, praying to modify the condition imposed on the petitioners previously in Crl.M.P. No. 1115/2026, dated 07.04.2026 and the intervening petition in Crl.M.P. No.1308/2026 is filed by Advocate M.H. Anisha Haron, praying to dismiss the petition in Crl.M.P. No.1294/2026.

Crl.M.P. No. 1315/2026 is filed by Advocate M.H. Anisha Haron, praying to cancel the anticipatory bail granted to the accused 1 to 3 in Crl.M.P. No. 1115/2026, dated: 07.04.2026.

COMMON ORDER

Crl.M.P.No.1294/2026 has been filed by the petitioners/accused 1 to 3 claiming that they were granted anticipatory bail by this court on 07.04.2026 in Crl.M.P. No.1115/2026 with condition that the petitioners shall surrender before the

SHO, Marthandam Police Station on 10.04.2026 before 9.00 A.M. without fail, upon which they shall be in the custody of the Investigation Officer of Crime No.161/2026 of Marthandam Police Station, till 6.00 P.M. The said period shall be used by the Investigation Officer for investigation, after which they shall be released from custody and also, after release, the petitioners shall stay at Thoothukudi, appear and sign before the Judicial Magistrate No.II, Thoothukudi daily twice at 10.30 A.M. and 5.00 P.M. until further orders. Further it would be contended that the petitioners were surrendered before the SHO, Marthandam Police Station on 10.04.2026 at 9.00 A.M. and they were surrendered before the Judicial Magistrate No.I, Kuzhithurai on 15.04.2026. Further it would be contended that the 1st petitioner is doing cable business in Marthandam and Colachel locality and due to the imposition of condition against him, he was not able to do his daily work and facing difficulty in daily meetings and the 2nd petitioner is a handicapped person and cannot walk without any support and the 3rd petitioner is doing master of Philosophy and due to the condition, he is unable to attend the classes physically and prayed that the condition may be modified to sign before the respondent police.

2. The claim of the intervening petitioner is that on 07.04.2026 the petitioners were granted bail with conditions. Despite being fully aware of the conditions of bail, they have continued their unlawful conduct. Further it would be contended that on 09.04.2026 while the sales Manager who is government approved licenced AT broadband dealer holding licence No. DS-11/119/2016-DS-III dated 06.09.2018 was unlawfully engaged in carrying out cable installation work at

Irenipuram Channel Mukku, Kulamkuzhi, the very same accused arrived at the location and unlawfully obstructed the work being carried out by the complainant and his workmen and the accused used abusive and filthy language and criminally intimidated them. So on the very same day, the sales Manager lodged a complaint before the Marthandam Police Station. The conduct of the accused clearly states that not only a blatant violation of the bail conditions imposed by this court, but also a continuing pattern of intimidation, harassment and obstruction of lawful activities and prayed that the petition in CrI.M.P. No. 1294/2026 may be dismissed and the anticipatory bail granted to the accused 1 to 3 in CrI.M.P.No.1115/2026, dated 07.04.2026 may be cancelled.

3. The learned Public Prosecutor submitted that originally the accused 1 to 3 approached this court for anticipatory bail in CrI.M.P. No. 1115/2026 and the same was allowed on 07.04.2026 with condition that the accused shall surrender before the SHO, Marthandam Police Station on 10.04.2026 before 9.00 A.M. without fail, upon which they shall be in the custody of the Investigation Officer of Crime No.161/2026 of Marthandam Police Station, till 6.00 P.M. The said period shall be used by the Investigation Officer for investigation, after which they shall be released from custody and also, after release, the petitioners shall stay at Thoothukudi, appear and sign before the Judicial Magistrate No.II, Thoothukudi daily twice at 10.30 A.M. and 5.00 P.M. until further orders. Accordingly, they surrendered before the SHO, Marthandam Police Station non 10.04.2026. Subsequently, the defacto complainant filed a petition before the respondent police

and CSR No. 569/2026 was given. On 11.04.2026 the accused persons threatened the defacto complainant. The police went to the spot and verified and found that the occurrence is genuine one, but they have not registered a case. Due to business competition, the occurrence had happened.

4. Heard both. The entire issue between the parties appears to be arising out of trade/commercial dispute. From the sequence of events it appears that unless the root cause namely trade/commercial dispute is resolved, the complaints and counter complaints are not going to stop. Therefore, this is an appropriate case where the alternate dispute resolution mechanism is to be invoked and as such, this court is inclined to refer the matter to mediation.

5. The accused 1 to 3 and the defacto complainant are directed to appear before the Mediation Centre, Nagercoil on 07.05.2026 at 11.30 A.M. and other subsequent dates to be fixed by the Mediators for mediation.

Call on 03.06.2026.

Dictated to the Steno-typist, typed by her, corrected and pronounced by me in open court this the 30th day of April, 2026.

Principal Sessions Judge,
Nagercoil.

To
The Mediation Centre, Nagercoil. (through e-mode)
The Inspector of Police, Marthandam Police Station. (through e-Mode)