

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 21st day of July, 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

Heard both. Perused the petition for modification of condition and the intervening petition and the petition for cancellation of bail.

2. Offences alleged u/s 296(b), 115(2), 351(2), 324(4) and 303(2) NP of BNS.

3. 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 and 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 cannot walk without any support since he is a disabled person 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.

4. During the time of enquiry, the defacto complainant filed an

intervening petition and that petition was numbered as Crl.M.P.No. 1308/2026 and the intervening petitioner is permitted to intervene.

5. 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 Crl.M.P. No.1294/2026 may be dismissed.

6. The defacto complainant also filed petition in Crl.M.P. No.1315/2026 for cancellation of bail on the same reason stated in the intervening petition and prayed that the anticipatory bail granted to the accused 1 to 3 in Crl.M.P.No.1115/2026, dated 07.04.2026 may be cancelled.

7. The learned Public Prosecutor submitted that originally the accused 1 to 3 approached this court for anticipatory bail in Crl.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 on 10.04.2026. Subsequently, the defacto complainant filed a petition before the respondent police stating that on 11.04.2026 the accused persons threatened the defacto complainant and CSR No. 569/2026 was given. 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.

8. After hearing rival submissions raised on both side, on 30.04.2026, this court referred the matter to mediation and directed the accused 1 to 3 and the defacto complainant 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.

9. Mediation report received. A perusal of Mediation Report, dated 01.06.2026 received from the Mediation Centre, Nagercoil, shows that mediation was completed, but no agreement was reached between the parties.

10. The intervening petitioner has not stated as if they have involved in witness threatening and they were involved in some other grave nature of offence during the interregnum period between the date of order till date. Considering the nature of the offences alleged to have been committed by the petitioners and also considering the reason stated by the learned counsel for the petitioners that the 1st petitioner is doing cable business in Marthandam, 2nd petitioner is a disabled person and the 3rd petitioner is doing Master of Philosophy History, this court is inclined to modify the condition imposed on the petitioners in Crl.M.P. No.1115/2026, dated 07.04.2026 and dismiss the intervening petition in Crl.M.P. No.1308/2026.

11. The defacto complainant has also filed petition in Crl.M.P. No.1315/2026 for cancellation of anticipatory bail already granted to the petitioner. The petitioners stated in their petition that they are not able to comply the condition due to above said reasons. Since the condition imposed on the petitioner in Crl.M.P. No.1115/2026 is modified, the petition in Crl.M.P. No.1315/2026 for cancellation of anticipatory bail deserves to be dismissed.

12. In the result, the condition imposed on the petitioners in Crl.M.P. No.1115/2026, dated 07.04.2026 is modified that the petitioners shall appear and sign before respondent police daily twice at 10.00 A.M. and 5.00 P.M. until further orders and accordingly Crl.M.P. No.1294/2026 is allowed and the intervening petitioner is permitted to intervene and accordingly Crl.M.P. No.1308/2026 is disposed off.

In the result, the petition for cancellation of anticipatory bail in CrI.M.P.
No.1315/2026 is dismissed.

Pronounced by me in open court this the 21st day of July, 2026.

Principal Sessions Judge,
Kanniyakumari at Nagercoil.

To
The Judicial Magistrate No.I, Kuzhithurai.
(through e-Mode)
The Inspector of Police, Marthandam Police Station.
(through court cell e-Mode)