

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. 1468/2026

(CNR.No.TNKK01-002396-2026)

and

Intervening Petition in Crl.M.P. No. 1470/2026

(CNR.No.TNKK01-002397-2026)

1. Subramani @ Sunkudi (A4)

S/o. Boothalingampillai @ Boothalingam

2. P. Sahaya Sajin @ Sanoj (A5)

S/o. Ponraj

3. Jebin , S/o Vijayakumar (A6)

4. Thillai Nambi, S/o. Murugan (A8)

5. Jones, S/o Vijayakumar (A9)

.. Petitioners in Crl.M.P.No.1468/2026

/Vs./

Springston Queenlees,

W/o Siluvai Suvani

.. Intervening Petitioner/Defacto
Complainant

The State of Tamil Nadu,

Through the Inspector of Police,

Nesamony Nagar Police Station,

Crime No.118/2026 of Nesamony Nagar Police Station,

Rep. by Public Prosecutor, Nagercoil.

...Respondent

Already Crl.M.P. No.253/2026 has been filed by Advocate Thiru T. Balarabish, before the Vacation Sessions Court, Kanniyakumari at Nagercoil u/s 482 of BNSS, praying to grant anticipatory bail to the petitioner and subsequently it was transferred to this court and renumbered as Crl.M.P. No.1468/2026 and the intervening petition in Crl.M.P. No.282/2026 was filed by Advocate Thiru V. Prasath, on behalf of the Intervenor/defacto complainant praying to dismiss the anticipatory bail petition and that petition was transferred to this court and renumbered as Crl.M.P. No.1470/2026.

ORDER

Heard both sides. Perused the anticipatory bail petition.

2. The petitioners/accused are alleged to have committed the offence u/s 189(2), 126(2), 296(b), 329(3) and 351(3) of BNS.

3. The case of prosecution is that on 21.05.2026 the accused persons trespassed into the defacto complainant's land, abused with filthy language 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 never committed any offence and the petitioners are ready to abide by any condition and prayed for anticipatory bail to the petitioners.

5. During enquiry, the defacto complainant filed an intervening petition and that petition was numbered as CrI.M.P.No. 1470/2026. The intervening petitioner is permitted to intervene.

6. The learned counsel for the intervening petitioner submitted that the defacto complainant is a practicing advocate and on 17.04.2026 the defacto complainant purchased a land from one Suresh fulfilling all the legal obligations for an amount of Rs.71,91,275/- and on 21.05.2026 at about 4.15 when the defacto complainant entered into his property, at the instigation of A1, all the accused unlawfully assembled with iron rod and criminally trespassed into his property and abused the defacto complainant in filthy words and criminally intimidated him. A1 is residing in a rental house in a nearby property and she is a habitual offender and many complaints were pending against her before various police stations. In Crime No.215/2025 of Nesamony Nagar Police Station, the 1st accused filed an application before the Hon'ble Madurai Bench of Madras High Court to quash the FIR and the Hon'ble High Court transferred the matter to CBCID for proper investigation. This is not the first occurrence and they caused all sort of troubles to the defacto complainant and his well being. All the petitioners are habitual offenders and they have crime history sheets in various police stations and the investigation of the case is not yet over and if the petitioners are granted anticipatory bail, they will threatened the defacto

complainant and his family members and will cause serious hindrance to the investigation and prayed that the anticipatory bail petition may be dismissed.

7. The learned Public Prosecutor opposed the application and submitted that the investigation is not yet over and he has serious objection to grant anticipatory bail to the petitioners and the petition may be dismissed.

8. On the above said contentions, on 10.06.2026 this court directed the petitioners and the defacto complainant to appear before the Mediation Centre, Nagercoil on 15.06.2026.

9. Mediation Report received. A perusal of Mediation Report, dated 29.06.2026 received from the Mediation Centre, Nagercoil, shows that mediation was completed and no agreement was reached.

10. The learned counsel for the petitioners submitted that the 1st accused filed a petition before the Hon'ble Madurai Bench of Madras High Court to quash the FIR and the Hon'ble High Court transferred the matter to CBCID for proper investigation. The petitioners are no way connected with this case and OS No.123/2023 is pending between the parties. The learned counsel for the petitioners undertakes that the accused persons will not interfere in respect of the tenancy property/dispute in OS No.123/2023 unless and until civil court passes order and such undertaking is recorded.

11. The learned counsel for the intervening petitioner submitted that the defacto complainant is the purchaser of the land and the petitioners are the henchmen of 1st accused and except these petitioners, A1 and other accused have not filed any anticipatory bail petition and this is the second occurrence and the respondent police has not taken any action against the 1st accused and the tenancy dispute between the 1st accused and the land owner and the petitioners are no way connected with the defacto complainant's property and he has serious objection to grant anticipatory bail to the petitioners.

12. Considering the nature of the offence alleged to have been committed by the petitioners/accused and also considering the fact that the occurrence was happened on 21.05.2026 and by this time the major portion of the investigation would have been completed and also considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners/accused with conditions.

13. In the result, this petition is allowed and in the event of arrest or on their appearing before the court concerned the petitioners are ordered to be enlarged on anticipatory bail on their 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, Nagercoil subject to the following conditions :-

- i) The petitioners shall appear before the court concerned within 15 days from today without fail.
- ii) After release, the petitioners shall appear and sign before the Judicial Magistrate, Valliyoor daily twice at 10.30 A.M. and 5.00 P.M. until further orders.
- iii) The petitioners shall also make themselves available before the respondent as and when required.
- iv) The petitioners shall not tamper with the witnesses or in any manner interfere with or put obstacle to the smooth progress of investigation.
- v) The petitioners 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 No.II, Nagercoil. (through e-mode)
The Judicial Magistrate, Valliyoor.
The Mediation Centre, Nagercoil. (through e-Mode)
The Inspector of Police, Nesamony Nagar P.S.(through court cell e-mode)
The counsel for the petitioners.