

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

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

Thursday, the 4th day of June, 2026.

Crl.M.P. No.1437/2026 (CNR.No.TNKK01-002325- 2026)

and

Crl.M.P. No.1507/2026 (CNR.No.TNKK01-002413- 2026)

G. Balaji S/o. Gnanappa (A9)

... Petitioner in Crl.M.P. No.1437/2026

1. Perumal S/o. Vasantha Perumal (A1)

2. Ponraj S/o. Thurai Raj (A3)

3. Thanusingh S/o. sivalingam (A4)

4. Kannan S/o. Durai Raj (A5)

5. Elayaperumal S/o. Perumal (A7)

6. Lekshmanan S/o. Vasanthaperumal (A11)

7. Y. Sankar S/o. Yesudason (A12)

8. Sivajothi D/o. Tharmalingam (A13)

... Petitioners in Crl.M.P. No.1507/2026

/Vs./

The State of Tamil Nadu,

Through the Inspector of Police,

Boothapandy Police Station,

Crime No. 172/2026 of Boothapandy Police Station,

Rep. by P.P. Nagercoil.

...Respondent

These two petitions are filed by Advocate Tvl. Nagerjun K.C. and K. Saravanakumar respectively, u/s 482 of BNSS, praying to grant anticipatory bail to the petitioners in both petitions.

COMMON ORDER

Heard both sides. Perused the petitions.

2. These two petitions are filed by different accused, but in the same crime number.

3. The petitioners/accused are alleged to have committed the offence u/s 191(2), 126(2), 296(b), 115(2) and 351(2) of BNS, 2023 and Sec.4 of TNPWH Act, 2002.

4. The case of prosecution is that on 27.04.2026, when the defacto complainant along with her relative was going to a temple festival, the petitioner along with other accused wrongfully restrained them and used filthy language and pulled her Kurti and sprinkled chilli powder and slapped her and criminally intimidated her.

5. The learned counsel for the petitioner in CrI.M.P. No.1437/2026 submitted that the petitioner is innocent of the offences alleged against him and the FIR was registered only after 6 days of the said incident and no such occurrence was happened as stated in the FIR and due to previous enmity, this false case has been foisted against the petitioner and the occurrence had happened on 27.04.2026 and the FIR has been registered on 01.05.2026 and there is no specific overt act against the

petitioner and the injured was discharged from the hospital and the investigation of the case was almost over and the petitioner is ready to abide by any condition and prayed for anticipatory bail to the petitioner.

6. The learned counsel for the petitioners in CrI.M.P. No.1507/2026 submitted that the petitioners are innocent of the offences alleged against them and they have not committed any offence as alleged in the FIR and only at the instigation of the defacto complainant, this false case has been foisted against the petitioners and already, two accused were arrested and the injured was discharged from the hospital and arrested accused were granted bail by the lower court on 01.06.2026 in CrI.M.P. No.187/2026 and the petitioners are ready to abide by any condition and prayed for anticipatory bail to the petitioners.

7. The learned Public Prosecutor opposed the application and submitted that there is previous enmity between the accused and the defacto complainant. Totally there are 13 accused in this case. On 27.04.2026, the defacto complainant and his family members went to the festival of the temple. At that time, the petitioners and other accused abused the defacto complainant and assaulted the defacto complainant and his relatives with hand and leg and outraged the modesty of the relative of the defacto complainant by pulling her chudithar shawl and assaulted her with hand and the injured was discharged from the hospital and the investigation is not yet over and he has serious objection to grant anticipatory bail to the petitioners in both petitions and the petitions may be dismissed.

8. Considering the nature of the offences alleged to have been committed by the petitioner/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 and also considering the argument of the learned counsel for the petitioners in Crl.M.P. No.1507/2026 that the co-accused were granted bail by the lower court, this court is inclined to grant anticipatory bail to the petitioners in both petitions with conditions.

9. In the result, both petitions are allowed and in the event of arrest or on their appearing before the court concerned the petitioners are ordered to be enlarged on 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, Boothapandy 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 respondent police daily at 10.00 A.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 4th day of June, 2026.

Principal Sessions Judge,
Kanniyakumari at Nagercoil.

To
The Judicial Magistrate, Boothapandy. (through e-mode)
The Inspector of Police, Boothapandy Police Station.
(through court cell e-mode)
The counsel for the petitioners in both petitions.