

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

Present : Thiru K. Dhanasekaran, M.L., L.L.M.  
Sessions Judge,  
Fast Track Mahila Court, Nagercoil.  
FAC of Principal Sessions Judge.

Tuesday, the 2<sup>nd</sup> day of June, 2026.

Crl.M.P. No.1459/2026

(CNR.No.TNKK01-002372-2026)

and

Intervening Petition in Crl.M.P. No.1460/2026

(CNR.No.TNKK01-002373 – 2026)

P. Sivan S/o. Pichai Perumal

.. Petitioner in Crl.M.P.No.1459/2026

/Vs./

Anand, S/o Cithiraivel

.. Intervening Petitioner/Defacto  
Complainant

The State of Tamil Nadu,  
Through the Deputy Superintendent of Police,  
District Crime Branch, Nagercoil,  
Crime No. 5/2026 of DCB, Nagercoil,  
Rep. by P.P. Nagercoil.

.. Respondent

Already anticipatory bail petition has been filed by Advocate Thiru Abilash Asokan before the Vacation Sessions Court, Nagercoil u/s 482 of BNSS praying to grant anticipatory bail to the petitioner and numbered as Crl.M.P.

No.218/2026 and subsequently, it was transferred to this court and renumbered as CrI.M.P. No.1459/2026 and the intervening petition in CrI.M.P. No.283/2026 is filed by Advocate Thiru A. Venkatesh, on behalf of the Intervenor/defacto complainant praying to dismiss the anticipatory bail petition and it was transferred to this court and renumbered as CrI.M.P. No.1460/2026.

### ORDER

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

2. The petitioner/accused is alleged to have committed the offence u/s 318(4) of BNS.

3. The case of the prosecution is that the accused represented himself as a high-ranking official in the Aavin Department at Nagercoil and claimed to have close acquaintance with higher officials at the Secretariat, Chennai and other politicians and believing such representations, the defacto complainant had approached the accused seeking to secure a Government job for him and for which the accused had demanded a sum of Rs.18,00,000/-. Accordingly, the defacto complainant transferred a sum of Rs.10 Lakhs to the bank account of the accused on 06.01.2025 as first instalment and thereafter, on 20.01.2025, the defacto complainant had paid a further sum of Rs.8,00,000/- in cash to the accused. On 07.02.2025 the complainant had received a Government appointment order allotting him posting at Coimbatore and directing him to join duty on 02.04.2025 through whats app with an assurance that the original order would be sent by post. Subsequently, upon enquiry,

the defacto complainant came to know that the said appointment order was a forged and fabricated one. When the defacto complainant demanded to return the money, the accused failed to repay the same.

4. The learned counsel for the petitioner submitted that the petitioner is innocent and he is an M.E., post graduate and worked as a Lecturer in the Kanyakumari Government Polytechnic College, Konam on temporary contract basis. During which, the petitioner was engaged to attend lab duty and examiner in several other colleges and institutions and thereby, he came in contact of the defacto complainant who was working as a Lecturer in BWDA Polytechnic College in Vendalicode, Kanyakumari District. The defacto complainant is very well knew that the petitioner was working as a Lecturer on a temporary contract basis and he has been attempting to get a job in Government. The petitioner has not committed any offence as alleged in the FIR. The petitioner has paid the demanded aggregate sum of Rs.10 Lakhs on various dates through the bank account of one Suyambulingam. The said Suyambulingam and M. Muthuraja were cheated the petitioner and other persons including the defacto complainant by sending forged, fake and fabricated appointment orders and defrauded their hard earned money. Consequently, the petitioner had lodged complaints on 29.07.2025 and 01.08.2025 against them before the Superintendent of Police, Kanyakumari District, but no action was taken against them. So the petitioner approached the Hon'ble Madurai Bench of Madras High Court in W.P.Crl.(MD) No. 945/2025 seeking to conduct enquiry and take

action against the proposed accused therein. The Hon'ble High Court disposed the petition on 19.08.2025, directing the respondent police authorities to look into the complaint and take appropriate action as expeditiously as possible. Pursuant to which, notice dated 19.08.2025 came to be issued for investigating the complaint lodged by the petitioner. However, investigation was kept pending by the concerned police without registering case against the actual accused and this false case has been registered against the petitioner 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 before the Vacation Sessions Court, Nagercoil and that petition was numbered as Crl.M.P. No. 283/2026 and subsequently, it was transferred to this court and renumbered as Crl.M.P. No.1460/2026. The intervening petitioner is permitted to intervene.

6. The learned counsel for the intervening petitioner submitted that the petitioner has done the same crime by cheating many persons including the friends of the defacto complainant and regarding that many petitions are pending before the respondent police. He had cheated more than Crore Rupees and after receiving the money, he was purchased so many lands in his name and other persons and the investigation of the case is in preliminary stage and if the petitioner is released on bail, definitely he will abscond and he will continue the same crime again and again and he will tamper the witnesses and cause threat to the public also and

prayed that the anticipatory bail petition may be dismissed.

7. The learned Public Prosecutor opposed the application and submitted that the petitioner promised the defacto complainant that he can arrange a government job in the department of revenue and disaster management and received Rs.18,00,000/- from the defacto complainant. Out of Rs.18,00,000/-, Rs.10,00,000/- paid on 06.01.2025 through bank transaction and Rs.8,00,000/- paid on 20.01.2025 directly, but the petitioner gave false appointment order and subsequently, the defacto complainant came to know that the petitioner cheated the defacto complainant. Totally, the petitioner received Rs.90,75,000/- from six persons and the custodial interrogation of the petitioner is highly essential and the investigation of the case is not yet over and he has serious objection to grant anticipatory bail to the petitioner and the petition may be dismissed.

8. The prosecution and the intervening petitioner alleged against the petitioner as if he was involved in job racketing cases. Though the learned counsel for the petitioner stated that the petitioner has cheated more than hundred persons and gave false assurance to get job in the department of revenue and disaster management, but he failed to secure the same. The learned Public Prosecutor for the State has stated that the petitioner has cheated six persons in the name of false promise for getting job in revenue and disaster management, thereby, he cheated Rs.90,75,000/- , particularly, the petitioner received a sum of Rs.10,00,000/- through bank transaction. When the specific question asked to the counsel for the petitioner

for about seeking explanation about receiving of the about from bank, but he has not given any valid reply instead he stated the petitioner is also one of the victim in the job racketing. At this juncture, the learned Public Prosecutor stated that the custodial interrogation of the petitioner is highly essential to look into whether the petitioner is a victim or the accused. Therefore, I am not inclined to grant anticipatory bail to the petitioner/Accused at this stage. As such, this anticipatory bail petition deserves to be dismissed.

9. In the result, the intervening petition in CrI.M.P. No. 1460/2026 is allowed and the anticipatory bail petition in CrI.M.P. No.1459/2026 is dismissed.

Pronounced by me in open court this the 2<sup>nd</sup> day of June, 2026.

Principal Sessions Judge,  
Kanniyakumari at Nagercoil.(FAC)