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CrI.M.P.No.158 of 2026

IN THE COURT OF THE JUDICIAL MAGISTRATE, KARAIKUDI

PRESENT: THIRU. J.KARMEGAKANNAN, B.A., B.L.,

JUDICIAL MAGISTRATE, KARAIKUDI

Friday, the 13th day of March 2026

CrI.M.P.No.158 of 2026

CNR No.TNSV19 – 000 – 299 – 2026

A. Mohammed Tharikkul Amin,

Inspector of Police,

Karaikudi South Police Station,

Karaikudi, Sivagangai District.

. . . Petitioner

Vs

Ajmalkhan,

S/o.Rahman,

Annai Sathya Nagar,

Karaikudi,

Sivagangai District.

. . . Respondent

On today, this petition coming for final hearing before me on 13.03.2026 in the presence of Learned Assistant Public Prosecutor for the Petitioner and upon perusing the records and having stood over for consideration, this court delivers the following.

ORDER

1. The present petition has been filed seeking cancellation of the anticipatory bail granted in favour of the respondent/accused by order dated 05.01.2026 made in CrI.M.P. No.12 of 2026 on the file of the Hon'ble Principal Sessions Court, Sivagangai, in connection with Crime No.326 of 2025 for the



alleged offences under Sections 109, 115(2), 118(1), 191(2), 191(3) and 296(b) of the Bharatiya Nyaya Sanhita (BNS).

2. The petitioner/complainant submitted that on 25.12.2025 at about 08.30 p.m., the defacto complainant was attacked by the respondent/accused along with other accused persons. It is alleged that the present respondent attacked the defacto complainant with an aruval and caused bleeding injuries on the centre of the head, forehead and the right side of the head. Thereafter, the police recorded the statement of the victim and based on the said statement, the present case was registered. While the matter was pending investigation, the respondent/accused moved an application for anticipatory bail in Crl.M.P. No.12 of 2026, which was allowed by the Hon'ble Principal Sessions Court, Sivagangai, subject to several conditions, including that the respondent shall appear before the respondent police station and sign daily for 30 days, and that he shall not commit any further offence. The said conditions portion is extracted hereunder for better appreciation;-

“In the result, the petition is allowed and the petitioner is directed to surrender before the jurisdiction Magistrate (Judicial Magistrate, Karaikudi) within 15 days from the date of receipt of the order or in the event of his arrest and production before the jurisdiction Magistrate concerned, he is ordered to be released on bail on his executing bond for Rs.10,000/- with two sureties each for like sum to the satisfaction of the Judicial Magistrate, Karaikudi with a condition that the petitioner shall appear and sign before the Respondent police station daily morning at 10.00 a.m., and shall sign for 30 days and thereafter, shall appear on summons. In the event, if the petitioner



fails to surrender within 15 days from the date of order, the anticipatory bail granted automatically lapses.

The sureties shall affix their photographs and left thumb impression and the Judicial Magistrate while considering the sureties, shall obtain the copy of their Aadhar card or bank pass book to ensure their identity.

The petitioner's photograph and Aadhaar Card with bank pass book copy shall also be obtained while considering the sureties.

The Petitioner shall make himself available for interrogation by the respondent police Officer as and when required for enquiry.

The Petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade from disclosing such facts to the court or to any Police Officer. That the petitioner shall not leave the State of Tamil Nadu without prior permission of the learned Judicial Magistrate. The Petitioner shall not commit further offences of similar nature and shall appear before the respondent police station as and when required.

The Petitioner shall co-operate for early disposal of the matter.

On breach of the aforesaid conditions, the learned Judicial Magistrate, before whom the case is pending is at liberty to initiate / take appropriate action against the petitioner in accordance with law as laid down in the



judgment of Hon'ble Supreme Court in P.K.Shaji Vs. State reported in AIR 2005 SCW 5506.

In the event, if the petitioner absconds, a fresh F.I.R shall be registered u/s.269 of B.N.S.”

However, according to the petitioner/complainant, the respondent failed to comply with the condition of signing before the police for 30 days. Further, on 14.02.2026, the respondent/accused again involved himself in Crime No.25 of 2026 for the alleged offences under Sections 296(b), 115(2), 232(1), 351(3) of BNS and Section 3 of the Tamil Nadu Prohibition of Harassment of Women Act, and he was remanded to judicial custody on 15.02.2026. The said complaint was lodged by the very same complainant, alleging that the respondent had threatened the defacto complainant in connection with Crime No.326 of 2025. Hence, the present petition has been filed seeking cancellation of the anticipatory bail.

3. This Court ordered notice to the respondent/accused. However, even after receipt of notice, the respondent did not choose to appear before this Court and no counter has been filed. Therefore, this Court heard the learned Assistant Public Prosecutor and perused the records.

4. Admittedly, the respondent signed before the police only from 12.01.2026 to 25.01.2026, and the condition of signing for 30 days has not been complied with. Moreover, the Hon'ble Sessions court had specifically



imposed a condition that the respondent shall not commit any offence. However, he has again committed offences against the very same victim, and a subsequent FIR has been registered in which he was remanded to judicial custody.

5. Further, the Hon'ble Principal Sessions court had specifically granted liberty to this court to cancel the anticipatory bail if any of the conditions imposed were violated, in view of the dictum laid down by the Hon'ble Apex Court in P.K. Shaji vs. State of Kerala and wherein the Hon'ble Apex is held as follows;-

“The order of the Sessions Court shows that the learned Magistrate has been empowered to consider the question of violation of any of the conditions imposed by the Sessions Court and was given powers to pass appropriate orders. The plea raised by the appellant's learned Counsel is that when the learned Magistrate had no such power, the Sessions Court was not empowered to invest that power in the Magistrate. We do not find any force in this contention. The superior court can always give directions of this nature and authorise the subordinate court to pass appropriate orders and the trial Magistrate would be the competent authority to decide whether any condition had been violated by the person who had been released on bail. When there is a specific direction to pass appropriate orders as if the conditions for granting bail had been imposed by the learned Magistrate himself, the impugned Order is legal and valid.”



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6. Therefore, this court is satisfied that the respondent/accused has violated the conditions imposed by the Hon'ble Principal Sessions Court, Sivagangai, vide order dated 05.01.2026 made in CrI.M.P. No.12 of 2026.

7. In the result, this petition is allowed and the anticipatory bail granted to the respondent/accused, vide order dated 05.01.2026 made in CrI.M.P. No.12 of 2026 on the file of the Hon'ble Principal Sessions Court, Sivagangai is hereby cancelled.

Typed by me in my computer, verified by me to be correct and pronounced in open court on 13th day of March, 2026.

Judicial Magistrate,
Karaikudi.