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Crl.M.P.No.743 of 2026

IN THE COURT OF THE JUDICIAL MAGISTRATE, KARAIKUDI

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

JUDICIAL MAGISTRATE, KARAIKUDI

Tuesday, the 21st day of July 2026

Crl.MP.No.743 of 2026

Crime No.30 of 2026

(On the file of Karaikudi South Police station)

CNR No.TNSV19 – 001 – 534 – 2026

M. Sabitha Sri,

Sub Inspector of Police,

Karaikudi South PS

Crime No.30/2026

..... Petitioner/Complainant

Vs

1. Suryaprakash @ Surya,

S/o. Murugesan

32, Kalyani Nagar,

Karaikudi, Sivagangai District.

2. Thangasamy @ Naveen,

S/o. Murugesan,

32, Kalyani Nagar,

Karaikudi, Sivagangai District.

..... Respondents/Accuseds



On today, this petition coming for final hearing before me on 21.07.2026 in the presence of Advocate 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 by the petitioner/complainant seeking cancellation of the bail granted in favour of the respondents/accuseds by the Hon'ble Principal Sessions Court, Sivagangai, in Crl.M.P. No.510 of 2026, by order dated 11.03.2026, in connection with Crime No.30 of 2026 for the offences under Sections 296(b), 115(2) and 351(3) of the Bharatiya Nyaya Sanhita and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, on the ground that the respondents have failed to comply with the conditions imposed while granting bail.

2. The case of the petitioner is that the defacto complainant is running a flower shop and has three sons. The respondents/accused are none other than the sons of the defacto complainant. On 28.02.2026 at about 02.30 p.m, when the defacto complainant went to his house for taking lunch, the respondents abused him in filthy language, demanded money from him, and slapped him on his chin. When the defacto complainant's wife, namely Banumathy, intervened to pacify the dispute, the respondents, without even considering that she was their own mother, abused her in filthy language, assaulted both of them by



using their hands, criminally intimidated them with dire consequences, and drove them out of the house. Based on the complaint given by the defacto complainant, the petitioner police registered a case in Crime No.30 of 2026 for the offences under Sections 296(b), 115(2) and 351(3) of the Bharatiya Nyaya Sanhita and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act.

3. It is the further case of the petitioner that the respondents were arrested and remanded to judicial custody on 01.03.2026 and 02.03.2026 respectively. Thereafter, they filed Crl.M.P. No.510 of 2026 before the Hon'ble Principal Sessions Court, Sivagangai, seeking regular bail. By order dated 11.03.2026 the Hon'ble Principal Sessions Court was pleased to grant bail subject to several conditions. One of the conditions imposed was that the respondents shall stay at Thiruvallur District and appear before the Inspector of Police, Taluk Police Station, daily at 10.00 a.m and 5.00 p.m, for a period of 30 days. According to the petitioner, the respondents have wilfully violated the said condition and have not reported before the Taluk Police Station even for a single day. Hence, the present petition has been filed seeking cancellation of the bail granted to the respondents.

4. After filing of the present petition, notice was ordered to the respondents. The respondents entered appearance through their learned counsel. Though sufficient opportunities were granted by this court to file a



counter affidavit, they failed to file the same. Hence, this court proceeded to hear the learned Assistant Public Prosecutor appearing for the petitioner and perused the entire materials available on record.

5. On a careful consideration of the materials placed before this court, it is seen that while granting bail, the Hon'ble Principal Sessions Court, Sivagangai, specifically directed the respondents to stay at Thiruvallur District and report before the Inspector of Police, Taluk Police Station, every day at 10.00 a.m. and 5.00 p.m. for a period of 30 days.

6. The petitioner has produced the certificate issued by the Inspector of Police, Taluk Police Station, wherein it is categorically stated that the respondents have not appeared before the police station or signed the station register even for a single day during the said period of 30 days. The said certificate remains unchallenged. The respondents have not filed any counter disputing the contents of the certificate nor have they produced any material to show that they have complied with the reporting condition. They have also not produced any order passed by the Hon'ble Principal Sessions Court, Sivagangai by modifying, relaxing or dispensing with the reporting condition imposed while granting bail.

7. The deliberate and continuous non compliance of the reporting condition clearly amounts to violation of the conditions imposed while granting bail. The conditions imposed by the Hon'ble Principal Sessions Court,



Sivagangai are binding upon the respondents, and they are expected to scrupulously adhere to the same. The failure to report before the concerned police station even for a single day during the stipulated period of 30 days demonstrates a clear disregard for the order of the Hon'ble Principal Sessions Court, Sivagangai and disentitles the respondents from continuing to enjoy the concession of bail.

8. Further, while granting bail, the Hon'ble Principal Sessions Court, Sivagangai, granted liberty to this court to take appropriate action in the event of breach of any of the conditions imposed, in accordance with the law laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala (AIR 2005 SCW 5506).

9. In the light of the certificate issued by the Inspector of Police, Taluk Police Station, Thiruvallur, the absence of any explanation from the respondents, their failure to comply with the reporting condition even for a single day during the stipulated period of 30 days, and there being no order modifying or relaxing the bail conditions, this court is satisfied that the petitioner has established a prima facie case for cancellation of the bail granted to the respondents.

10. In the result, this Criminal Miscellaneous Petition is allowed. The bail granted to the respondents/accuseds by the Hon'ble Principal Sessions



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Court, Sivagangai, in Crl.M.P. No.510 of 2026, by order dated 11.03.2026, in connection with Crime No.30 of 2026, is hereby cancelled.

Typed by me in my computer, verified by me to be correct and pronounced in open court on 21st day of July, 2026.

Judicial Magistrate,
Karaikudi.