

In the Court of Sessions, Tirunelveli Division
Before the Principal Sessions Judge, Tirunelveli.
PRESENT : **Thiru.N.VENKATAVARADAN, B.L.,**
PRINCIPAL SESSIONS JUDGE.
Friday, the 05th day of June 2026.
Cr.M.P.No.2341/2026
(CNR No.TNTL 0100 4523 2026)

- 1.Babu @ Thangababu, S/o. Rajasekar.
2. Rajasekar @ Rajasekaran, S/o. Thangapazaganadar.

...Petitioners/Accused.

Vs.

State: The Inspector of Police,
Munneerpallam P.S.,
Cr.No.649/2026

...Respondent/Complainant.

Petition dated :01.06.2026 U/s. 482 B.N.S.S through e-filing prays to grant anticipatory bail.

This petition is coming on this day for hearing before me, in the presence of THIRU.A.SHANMUGA SUNDAR, Advocate for the petitioners appeared through video conference and THIRU.K.SUBRAMANIAN, the Public Prosecutor for the respondent and upon hearing both sides arguments, this court passed the following:

ORDER

The Petitioners/accused seeks anticipatory bail for the alleged offences under Section.296(b),115(2),351(2) BNS and 4 of TNPWH Act, registered by the respondent police.

The petitioners states that the Respondent police apprehends to arrest the petitioners for the alleged offences under Section 296(b),115(2),351(2) BNS and 4 of TNPWH in Cr.No.649/2026. The Petitioners further states that they have been falsely implicated in this case. The petitioners further states that the alleged occurrence is said to have taken place on 25.05.2026 within the jurisdiction of the respondent police and the matter was said to have been reported on 26.06.2026. As per the averments in the FIR, its alleged that the petitioners abused the defacto complainant with filthy language and threatened the defacto complainant with dire

consequences. The averments mentioned in the FIR is entirely false and no incident taken place as alleged by the defacto complainant. They are ready to prove that they are innocent at the time of trial. The petitioners are ready to co-operate investigation and therefore seeks to enlarge them on anticipatory bail.

The Respondent filed objections stating that the accused herein intercepted the defacto complainant when she was attempted to take water in the public pipe which provides water to the said village, which was objected by the accused herein and they have caused injuries and also used filthy languages. The respondent police contended that if the petitioners are enlarged on anticipatory bail they will indulge in the same offence and they will tamper with the witnesses also it will affect the investigation. Therefore objected to release the petitioners on anticipatory bail.

The point for consideration is: Whether the petitioners are entitled to the relief of Anticipatory Bail as prayed for?

Point: -Heard both sides. The petitioners have been alleged to use filthy language as against the complainant while dispute arose fetching water in the pipe fixed by the petitioner herein for the public use, whereas the petitioners have denied allegations. The petitioner counsel also argued that the 2nd petitioner is also age about 69 years and has not involved in any such offence. This court upon consideration of these allegations is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

- a) that in the event of arrest of the petitioners by the respondent/police or on their surrender before the learned Judicial Magistrate Additional Mahila Court Tirunelveli; within 15 days from the date of this order and on such arrest or surrender the petitioners are ordered to be enlarged on anticipatory bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate, Additional Mahila Court Tirunelveli; **If the petitioners/accused does not surrender within 15 days from the date of this order this Anticipatory bail shall stands cancelled automatically;**
- b) that the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar Card or Bank Pass Book to ensure their identity;

- c) **that the petitioners shall report and sign before the respondent police daily at 10.00 a.m., for the period of 15 days** and further respondent police is directed to submit the report, deviations if any committed by the petitioners in observing the above condition. On further condition that they shall make available themselves for interrogation as and when required by the investigation Officer ;
- d) that the petitioners shall not tamper with evidence or witness either during investigation or trial;
- e) that the petitioners shall not abscond either during investigation or trial;
- f) that on breach of any of the aforesaid conditions, the learned Magistrate/Trial court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/trial court themselves as laid down by the Hon'ble Supreme court in P.K.Shaji -vs- State of Kerala ((2005) AIR SCW 5560);
- g) If the accused thereafter absconds, a fresh FIR can be registered U/s 269 of BNS.

Pronounced by me in open court, this the 05th day of June 2026.

PRINCIPAL SESSIONS JUDGE,
TIRUNELVELI.