

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.2339/2026
(CNR No.TNTL 0100 4525 2026)

1.Jeevan Polsamy Nadar, S/o. Polsamy Nadar.
2. Ponpandi, S/o. Balaswamy Nadar.
3.Sudharsan, S/o. Murugan.
4.Mahesh, S/o. Nambivel Nadar. ...Petitioners/Accused.

Vs.

State: The Inspector of Police,
Kalakd P.S.,
Cr.No.508/2026 ...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.S.PONMANI SUSILA, Advocate for the petitioners 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(1),118(2),351(3) of 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(1),118(2),351(3) of BNS and 4 of TNPWH in Cr.No.508/2026. The alleged occurrence is said to have taken place on 23.05.2026 at 07.30 hrs at Subramaniapuram. As per the FIR it is a dispute between the petitioners and the defacto complainant regarding the construction of a common wall. The petitioners are alleged to have used filthy language, assaulted, caused injury and threatened with criminal incrimination. Further, the counter case in Cr.No.507/2026 was registered against the defacto

complainant. The petitioners 1 and 2 also sustained injury and were admitted in the hospital. The petitioners are innocent and undertakes to furnish adequate sureties and seeks to enlarge them on anticipatory bail.

The Respondent filed objections stating that, it is a dispute between neighbours and both side have got injury and if they are released on bail they will again indulge in such disputes.

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 who have been apprehended in the above case for the alleged dispute between neighbours seek to enlarge them on bail. It is also stated that the counter case has also registered against the defacto complainant. The petitioner also states that the petitioners 1 & 2 also sustained injury. Considering these facts that both sides sustained injury and took treatment has not disputed by the prosecution. Already leaving one accused other accused in the counter case were released on anticipatory bail, this court is upon consideration of these facts and circumstances and these petitioners have sustained injury, this court is inclined to grant anticipatory bail 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 Nanguneri; 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, Nanguneri; **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.