



CRL OP(MD). No.2077 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.02.2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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J.Kanstin Rabin .. Petitioner/Accused No.2

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
Crime No.459 of 2025

.. Respondent/Complainant

For Petitioner : Mr.A.M.B.Mathu Balan
Advocate.

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of
BNSS

PRAYER :-

C-38AB. For Anticipatory Bail in Crime no.
459 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of BNS, in Crime No.459 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 24.11.2025, at about 08.30 p.m., when the defacto complainant and his friends were standing near SBUI ATM, in Kanyakumari Church Road, at that time, the petitioner along with other accused persons abused the defacto complainant in filthy language and attacked him with weapon and caused injuries. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is ready and willing to abide by any



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conditions which may be imposed by this Court.

Hence, he seeks anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the injured person has been discharged from the hospital. He further submitted that there are eleven previous cases pending against the petitioner. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial



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Magistrate No.I, Nagercoil, Kanyakumari District,
within a period of fifteen days from the date on
which the order copy is made ready and on further
conditions that:

[a]the petitioner 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;

**[b] the petitioner shall report
before the respondent police daily at
Morning at 10.30 a.m., and Evening at
05.30 P.m., until further orders;**

[c]the petitioner shall not tamper
with the evidence or witness either
during investigation or trial;

[d]the petitioner shall not abscond
either during investigation or trial;

[e]On breach of any of the aforesaid
conditions, the learned Magistrate/Trial



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Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

04.02.2026

vsg



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- 1.The Judicial Magistrate No.I, Nagercoil,
Kanyakumari District.
- 2.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S. SRIMATHY, J.,

vsg

ORDER
IN
CRL OP (MD) No.2077 of 2026

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