



CRL OP(MD). No. 3819 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 3819 of 2026

Mani @ Moni.K

...Petitioner/Accused

Vs

1. State of Tamil Nadu rep. by
The Inspector of Police,
Manavalakurichi Police Station
Kanyakumari.
(Crime No. 17 of 2026)

2. The Tahsildar
Kalkulam
Thuckalay
Kanyakumari.

*(R2 is suo motu impleaded vide order dated 23.02.2026
in Crl.O.P.(MD) No.3819 of 2026)*

...Respondent

For Petitioner : Mr.T.Wins
Advocate.

For R-1 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

For R-2 : Mr.M.Muthumanikkam
Government Advocate

For Intervenor : Mr.B.Vinoth Kumar



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No. 17 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 329(3), 191(2), 296(b), 115(2), 118(1), 324(3) and 351(2) of BNS, 2023 in Crime No. 17 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to civil dispute, on 15.02.2026 at about 1.20 a.m., the petitioner and other accused trespassed into the disputed property with weapons, such as stones and aruval, demolished a portion of the compound wall with an intention to grab the property, abused and criminally intimidated the defacto complainant and attacked her and also threatened with dire consequences. Hence, the case.

3. The learned counsel for the petitioner would submit that the



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petitioner is innocent and he was falsely implicated in this case and he is no way connected in the above said incident. He has not committed any offence as alleged by the prosecution. Hence, he prays to grant Anticipatory Bail to the petitioner.

4. The learned counsel for the intervenor would submit that due to property dispute, the petitioner and other accused demolished a part of the construction and attacked the defacto complainant. If the petitioner is granted anticipatory bail, he will threaten the defacto complainant. Hence, he opposed to grant anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl. Side) would submit that based on the complaint given by the defacto complainant, a case has been registered for the offences punishable under Sections 329(3), 191(2), 296(b), 115(2), 118(1), 324(3) and 351(2) of BNS, 2023. He further submits that there is a civil dispute between the parties and the injured was discharged from the hospital and the petitioner has no previous case. He would further submit that the investigation is pending and the offences are grave in nature and hence, he opposes to grant



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anticipatory bail to the petitioner.

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6. Heard both sides and perused the materials available on record.

7. Considering the rival submissions on either side and the nature of offences charged against the petitioner and the relationship between the parties and considering the facts that due to civil dispute, the occurrence happened and the injured was discharged from the hospital and no previous case is pending against the petitioner and already interim anticipatory bail was granted to the petitioner, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to 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 Magistrate, Eraniel, Kanyakumari**, and on further conditions that:

[b] the petitioner shall report before the respondent police, on every Saturday at 10.30 a.m. for a period of two



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**months, and thereafter as and when required for the
interrogation.**

[c] the petitioner shall not commit any offences of similar nature.

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

apd

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(P D B J)
09.04.2026
(2/2)



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To

- 1.The Judicial Magistrate, Eraniel, Kanyakumari.
- 2.The Inspector of Police,
Manavalakurichi Police Station
Kanyakumari.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

apd

ORDER
IN
CRL OP(MD) No. 3819 of 2026

Date : 09.04.2026
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