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CRL OP No. 19419 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 19419 of 2026

Kandhasamy

..Petitioner(s)

Vs

The State Rep By its, The Inspector of Police
Nemili Police Station,
Ranipet District.
Crime No.164 of 2026

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on Bail in the event of his arrest in connection with in Crime No. 164 of 2026 pending on the file of the Respondent Police and thus render justice.

For Petitioner(s): M/S. D. Dayalan

For Respondent(s): MR.N.PALANIVEL, GOVT.ADVOCATE
(CRL.SIDE)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Section 3 of Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992, in Crime No.164 of 2026, seeks anticipatory bail.



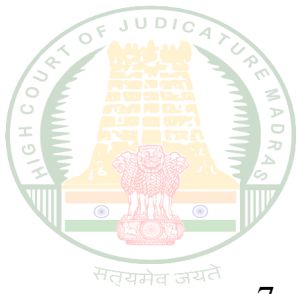
2. The case of the prosecution is that the de facto complainant and the petitioner are siblings. Taking advantage of an ongoing land dispute between them, the petitioner allegedly damaged the compound wall of the property. The total damage caused by this act is estimated to be worth Rs. 30,000/-. No physical injuries were sustained by anyone during the incident. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and has been falsely implicated in this case and has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought anticipatory bail for the petitioner.

4. Although the learned Government Advocate (Crl. Side) appearing for the respondent police objected to this application on the aforementioned ground, he fairly submitted that the petitioner has no criminal antecedents.

5. This Court has considered the submissions made on either side.

6. Considering the aforementioned circumstances and the fact that there are no criminal antecedents against the petitioner, the custodial interrogation of the petitioner for investigation is not required. Accordingly, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to the following conditions:



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7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate No.II, Arakkonam***, on condition that the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only), with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;
- (b) the petitioner shall report before the respondent police, everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;**
- (c) the petitioner shall not tamper with 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



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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]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

21-07-2026

GBI

To

- 1.The State Rep By its, The Inspector of Police
Nemili Police Station,
Ranipet District.
Crime No.164 of 2026
- 2.The Judicial Magistrate No.II, Arakkonam.



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C.KUMARAPPAN, J.

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