



CRL OP NO. 1594 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1594 of 2025

1.Thirumurugan
2.Vimalnadhan
3.Murugan
4.SAkthivel
5.Durai
6.Sivakumar
7.Selvam

Petitioner(s)

Vs

State Rep. By, The Inspector Of Police
Chengam Police Station, Tiruvannamalai District. Crime No.555
Of 2024

Respondent(s)

For Petitioner(s):

S.L.Venkatesan
E.Sumathi

For Respondent(s):

S.Santhosh
Government Advocate (criminal Side),madras High Court.

ORDER

Apprehending arrest in connection with Crime No.555 of 2021 registered for the offences punishable under Sections 303(2) BNS, 2023 r/w. 21(1) Mines and Minerals Act, (Development and Resolution Act), 1957 and Section 3(1) of Prevention of Damage to Public Property Act, 1984, the present petition has been filed seeking anticipatory bail.



2. Pleading innocence on the part of the petitioners, false implication in the case,

learned counsel for the petitioners seeks indulgence of this Court. Learned counsel for

the petitioners would submit that they belong to Manmalai Village, Se.Nachipattu

Village, Chengam Taluk. During the temple festival, the petitioners opened the check

dam without obtaining permission for festival purpose without understanding the

consequences. He would submit that the petitioners are ready to abide by any stringent

condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Crl. Side)

appearing for the respondent Police, opposing for grant of anticipatory bail, is that the

accused, who are the villagers of Manmalai Village, Se.Nachipattu Village, Chengam Taluk,

had illegally opened the shutter of the irrigation check dam without the knowledge of the

complainant, thereby causing a loss of water. He would submit that the petitioners have no

previous cases pending against them.

4. Heard the learned counsel for the petitioners and the learned Government Advocate

(Crl.side) for the respondent and perused the materials available on record.

5. Considering the facts and circumstances of the case and also considering the submissions

made by the learned counsel for the petitioners, this Court is of the view that the petitioners



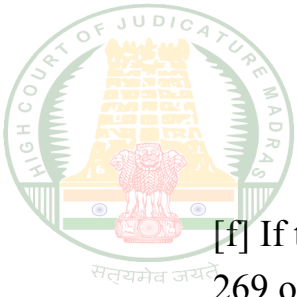
be granted bail. Accordingly, the petitioners are ordered to be released on bail in lieu of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy

of this order, before the learned Judicial Magistrate, Chengam, Tiruvannamalai District, on

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condition that the petitioners 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 respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

- [a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;
- [b] the petitioners shall report before the respondent police everyday at 06.30 p.m., for a period of two weeks and thereafter, on every Saturday at 06.30 p.m., until further orders.
- [c] the petitioners shall not tamper with evidence or witness either during investigation or trial;
- [d] the petitioners shall not abscond either during investigation or trial;
- [e] 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 himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];



A.D.JAGADISH CHAND



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

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To

1. State Rep. By, The Inspector Of Police
Chengam Police Station, Tiruvannamalai District.
Crime No.555 Of 2024

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