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CRL OP No. 12248 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 12248 of 2025

1. R.Ramesh
2. Jaya Kumar
3. A.K.Santha Kumar
- 4.A.K.Palani
5. Siva kumar

Petitioner(s)

Vs

State Rep.by its The Inspector of Police
Kannagi Nagar Police Station,
Chennai.
(Crime No. 158 of 2025)

Respondent(s)

PRAYER

This Criminal Original Petition is filed to enlarge the Petitioners on bail in the event of the arrest in Crime No. 158 of 2025 on the file of the Respondent police.

For Petitioner(s): Mr.Veera Narayanan

For Respondent(s): Mr.L.Baskaran, GA (Crl.Side)



For Intervenor (s) : Mr.M.Sivakumar

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ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 329(3), 296(b), 79, 324(5), 324(6), 61(2), 351(3) and Section 3(1) of TNPPDL Act in Crime No.158 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused trespassed into the defacto complainant's property, demolished a house, disconnected the electricity connection and threatened the tenant with physical harm. A civil dispute is ongoing between the defacto complainant and the first petitioner regarding ownership rights. The accused allegedly used a JCB to level the property without permission, leading the registration of the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and have been falsely implicated in this case. Learned counsel further submitted that petitioners are ready to abide by any condition for



their release. Learned counsel further submits that the first petitioner has filed a

Civil Suit in O.S.No.49 of 2025 and the defacto complainant filed a Civil Suit in

O.S.No.17 of 2025 and both the suits are pending before the learned District

Munsif Cum Judicial Magistrate Court, Sholinganallur. Hence, the learned

counsel prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the investigation is at crucial stage and opposed for grant of anticipatory bail to the petitioners.

5. Learned counsel for the Intervenor raised strong objection for grant of anticipatory bail to the petitioners stating that accused trespassed into the defacto complainant's property, demolished a house, disconnected the electricity connection and threatened the tenant with physical harm. The accused caused damage to the tune of Ten Lakhs rupees. Hence, opposed for grant of anticipatory bail to the petitioners.

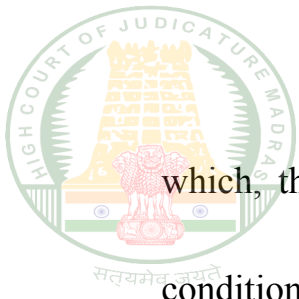


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6. Heard the learned counsel for the petitioners, the learned counsel for the intervenor and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record.

7. Considering the submissions made by the learned counsel appearing on either sides and since, custodial interrogation of the petitioners are not required, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate Court, Sholinganallur** on condition that each of 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 learned Magistrate concerned, and on proof of payment of deposits, failing



which, the petition for anticipatory bail shall stand dismissed and on further

condition that:

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[a] if the petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[c] the petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks;

[d] the petitioners shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall make themselves available for interrogation by a Police office as and when required;

[f] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[g] the petitioners shall not abscond either during



investigation or trial;

[h] On breach of any of the aforesaid conditions, the learned 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];

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

12-06-2025

($\frac{1}{2}$)

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Inspector of Police

Kannagi Nagar Police Station, Chennai.

2. The Judicial Magistrate Court,
Sholinganallur.

3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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