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Crl.O.P.No. 13955 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21.05.2025**

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

CRL. O.P.NO.13955 of 2025

1. Subramani
2. Perumal @ Kannayan
3. Palanikumar
4. Balasubramani
5. Dhilipkumar
6. Yuvaraj
7. Vimalkumar
8. Thangarasu

... Petitioners

Vs

The Inspector of Police,
Vazhappady Police Station,
Salem District.
(Crime No.125 of 2025)

...Respondent

Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner/Accused on
anticipatory bail in the event of arrest in Crime No. 125 of 2025 pending
on the file of the respondent police.

For petitioners	:	M/s.N.Mahendra Babu
For Respondent	:	Mr.A.Gopinath Government Advocate (Crl.Side)



ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 329(1), 324(4), 303(2) of the BNS Act, in Crime No.125 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant fenced his 7- acre land after a peace meeting denied public access. On 10.04.2025 masked individuals trespassed, damaged and stole fencing materials worth Rs.2,00,000/-. Hence, the complaint.

3. The learned counsel appearing for the petitioners submit that the petitioner are an innocent person and they have not committed any such offence as alleged by the prosecution. He would also submit that they have been falsely implicated in this case. However, on instructions, the learned counsel further submits that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for



the respondent police submitted that there are totally nine accused involved in this case, these petitioners are arrayed as A2 to A9 and A1 was arrested and released on bail. He further submitted that on the date of occurrence, the petitioners and another accused with face mask were trespassed into the defacto complainant's land, damaged the fencing stone and wires and stolen the fencing materials. Hence, he strongly objected to grant anticipatory bail to the petitioners.

5. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 of receipt of a copy of this order, before the learned **District Munsif cum Judicial Magistrate, Vazhapadi, Salem** on 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and 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 petitioners shall report before the respondent police everyday at 10:30 a.m., for a period of two weeks and thereafter as when required for interrogation.

[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].



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

21.05.2025

nsI/stn

Note:-

1. Registry is directed to forthwith upload this order in the official website of this Court.
2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.

To:

1. The Inspector of Police,
Vazhappady Police Station,
Salem District.
2. The District Munsif cum Judicial Magistrate
Vazhapadi,
Salem.
3. The Public Prosecutor,
Madras High Court.

N.SENTHILKUMAR, J.



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