



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.15483 of 2025

Thiruvengadam

... Petitioner

Vs.

State represented by,
The Inspector of Police,
Vettavalam Police Station,
Tiruvannamalai District.
(Crime No.66 of 2025)

... Respondent

PRAYER : Criminal Original Petition has been filed under Section 482 of BNSS to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent in Crime No.66 of 2025 on the file of the respondent.

For Petitioner : Mr.E.Sathiyaraj Elangovan

For Respondent : Mr.R.Vinothraja
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences under Section 326(b) of BNS and Sections 3(2) of Prevention of Damage to Public Property Act, in Crime No.66 of 2025 on the file of the respondent, seeks anticipatory bail.



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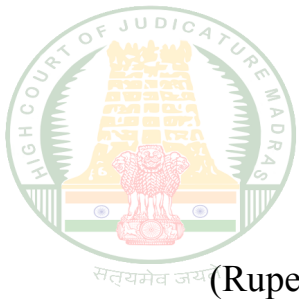
2. The case of the prosecution is that the accused had demolished the dam constructed in Survey No.55/1 situated in Sanipoondi Panchayat and caused damage to the worth of Rs.5 lakhs. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that a false complaint has been given against the petitioner since he acted against certain encroacher and the petitioner is no way connected with the alleged offence. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioner.

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

6. Considering the above facts and circumstances of the case and the nature of allegation and also taking note of the fact that the petitioner has come forward to deposit an amount of Rs.2,00,000/-, to the credit of crime number and since, the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner shall deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.66 of 2025 and on such deposit and production of proof, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Kilpennathur, Tiruvannamalai District**, on condition that the petitioner 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, failing which, the petition for anticipatory bail shall stand dismissed 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 abscond during during investigation or trial;



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[d] the petitioner shall not tamper with evidence or witness 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 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];***

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

23.06.2025

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To

1. The Judicial Magistrate,
Kilpennathur, Tiruvannamalai District.
2. The Inspector of Police,
Vettvalam Police Station,
Tiruvannamalai District.
3. The Public Prosecutor,
High Court, Madras.

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