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CRL OP NO. 17738 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 17738 of 2025

M.Ramesh

...Petitioner

Vs

State Rep by its,
The Inspector of Police,
M-8, Sathangadu Police Station
Thiruvallur District.
[Crime No. 184 of 2025].

....Respondent(s)

Criminal Original Petition filed under Section 482 of BNSS, Act, 2023 praying to enlarge the petitioner in the event of his arrest by the respondent police in pursuant to the FIR in Crime No. 184 of 2023 on the file of the respondent police.

For Petitioner(s) : Mr.Muthukumar Raja

For Respondent(s): Mr.S.Udayakumar

Government Advocate [Criminal Side]

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 329(4) and 351(2) of BNS in Crime No. 184 of 2025 on the file of the respondent Police, seeks anticipatory bail.



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2.The allegation against the petitioner is that the de-facto complainant viz., Anil Kumar Mittal purchased a land comprised in Survey No.300/2 at Sadayakuppam Vilalge in the year 1987 and he is the absolute owner of the said property. While so, though the said property became the subject matter under the Tamil Nadu Urban Ceiling Land Act, 1987, after due verification, it was released and handed over to the de-facto complainant. The de-facto complainant had taken necessary steps to get his land measured and also demarcated the land with the help of Government Surveyor and the petitioner herein by erecting stones. In the meantime, the petitioner herein trespassed into the land and occupied the land, when the same was questioned, then the petitioner threatened the de-facto complainant with dire consequences. Hence the case.

3. The learned counsel for the petitioners submits that the petitioner



has been falsely implicated in this case and he is the grand son of one

Balamaniyammal, who has purchased the disputed property and the de-facto complainant has no matter of right. He also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that there was property dispute between the petitioner and the de-facto complainant. He further submits that investigation is pending. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsels on either side and perused the materials available on record.



6. Considering the facts and circumstances of the case and submissions made by learned counsels on either side and considering the nature of allegations against the petitioner and considering the fact that investigation is pending, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, 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, Tiruvottiyur**, 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 learned Magistrate concerned and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



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[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of one week and thereafter, as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;



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

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MSM

To

- 1.The Judicial Magistrate, Tiruvottiyur.
- 2.The Inspector of Police,
M-8, Sathangadu Police Station
Thiruvallur District.
- 3.The Public Prosecutor, High Court of Madras.



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K.RAJASEKAR, J.

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