



Crl.O.P.No.19015 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 29.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19015 of 2025

1.Jambulingam
2.Rajendiran

.. Petitioners/A3 & A4

Vs.

The State Rep by,
The Sub-Inspector of Police,
Kallakurichi Police Station,
Kallakurichi District.
(Crime No.337 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail, in the event of their arrest in Crime No.337 of 2025 on the file of the respondent police.

For Petitioners : M/s.Raji

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



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ORDER

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2. The case of the prosecution is that the petitioners/A3 and A4 were workers had caused damages to the lake bund as well as the lake sluices and according to the PWD estimation, the damage is around 1.25 lakhs. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are an innocent person, they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners without prejudice to their defence is ready and willing to deposit a sum of Rs.25,000/- to the credit of Crime Number 337 of 2025. Hence, he prayed for grant of anticipatory bail to the petitioners.



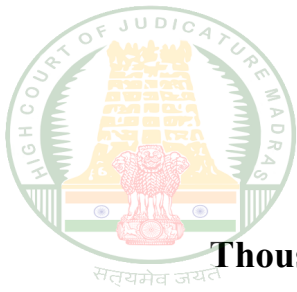
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4. Learned Government Advocate (Crl.Side) appearing for the respondent Police while opposing the grant of anticipatory bail to the petitioners reiterated the prosecution case.

5. Having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, **the petitioners shall deposit a sum of Rs.25,000/- (Rupees Twenty-Five Thousand Only) each to the credit of Crime No.337 of 2025 and on such deposit**, 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 No.1, Kallakurichi**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten**



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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:

[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 for a period of three weeks and thereafter, as and when required for further interrogation;

[d] the petitioners shall not directly or indirectly cause any threat to the de facto 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;



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[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, they 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 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];

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

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M.NIRMAL KUMAR, J.

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To

- 1.The Judicial Magistrate No.I, Kallakurichi.
- 2.The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi District.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

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