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CrI.O.P.No.20531 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2025

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CrI.O.P.No.20531 of 2025

1.Ellappan
2.Govindasami
3.Manila @ Maheshwari
4.Dhandapani @ Thandayuthapani ... Petitioners
Vs.

The Inspector of Police,
Omerabad Police Station,
Omerabad,
Thirupathur District.
Crime No.239 of 2025 ... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail to the petitioners in the event of their arrest in Crime No.239 of 2025, on the file of the respondent police.

For Petitioners : Mr.B.Thiyagarajan
For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)



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ORDER

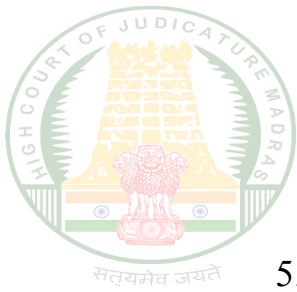
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The petitioners were apprehending arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 351(3), 3(5) of BNS read with Section 3 of the Tamil Nadu Public Property (Prevent of Damage and Loss) in Crime No.239 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the de facto complainant's property in S.No.85/1B2, Angiyapalli Village, was fenced, which the accused allegedly removed on 26.06.2025 and 27.06.2025 using a JCB vehicle. When the de facto complainant and his family objected, they were abused and threatened with dire consequences. Hence, the present complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side), appearing for the respondent police, reiterated the prosecution case and opposed the grant of anticipatory bail to the petitioners.



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

6. Considering the nature of the complaint and the fact that A1 was arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order before the learned **Judicial Magistrate, Ambur**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** with two sureties, **in which one surety must be a blood surety** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the petitioners fail to surrender before the concerned Magistrate, within a period of ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[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



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Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioners shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the credit of Crime No.239 of 2025 before the learned Judicial Magistrate, Ambur, and on such deposit, the de facto complainant is permitted to withdraw the same on proper acknowledgment.

[d] petitioners 1 and 3 shall report before the respondent police as and when required for interrogation;

[e] petitioners 2 and 4 shall report before the respondent police on every Saturday at 10.30 a.m., for a period of eight weeks, and thereafter as and when required for interrogation;

[f] 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 himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283];**

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



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To

- 1.The Judicial Magistrate,
Ambur.
- 2.The Inspector of Police,
Omerabad Police Station,
Omerabad,
Thirupathur District.
- 3.The Public Prosecutor,
High Court of Madras.

T.V.THAMILSELVI, J.

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