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Crl.O.P.No.22302 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2025

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THE HONOURABLE Dr.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.22302 of 2025

Sankar, Male (37)
S/o Murugesan,
No.34, Udayar Street,
Pakkamudayan Pet,
Lawspet,
Puduchery- 605008.

... Petitioner/Accused

Vs.

The State,
Represented by the Inspector of Police,
Kiliyanur Police Station,
Viluppuram District
Crime No.231/2025.

...Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest by the respondent police in Crime No.231 of 2025 on the file of the Inspector of Police, Kiliyanur Police Station, Villupuram District, the respondent herein.

For Petitioner : Mr.Antony Jesus

For Respondent : Mr.S.Udaya Kumar.
Government Advocate (Crl. Side)



Crl.O.P.No.22302 of 2025

WEB COPY

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police, for the alleged offence punishable under Section 303(2) of the BNS in Crime No.231 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. According to the complaint, there is a civil dispute between the complainant and the accused persons. While so, the accused had harvested the standing casuarina trees in a portion of the land and had encroached upon the disputed land.

3. The learned counsel appearing for the petitioner states that already title dispute is pending in the Civil Court and writ petition is also filed in this regard. The said complaint was lodged to wreck vengeance.

4. The learned Government Advocate (Crl.Side) states that the standing casuarina trees, which are removed, are not yet recovered and the petitioner is absconding and not co-operating for the investigation.



CrI.O.P.No.22302 of 2025

WEB COPY

5. Considering the nature of the offence and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance on or before 21.08.2025 before the **District Munsif-cum-Judicial Magistrate, Vanur, 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 police officer, who intends to arrest, or to the satisfaction of the learned **District Munsif-cum-Judicial Magistrate, Vanur**, failing which the petition for anticipatory bail shall stand dismissed and on further condition;

[a]The petitioner shall deposit a sum of **Rs.50,000/-(Rupees fifty thousand only)** to the credit of the **Crime No.231 of 2025 on the file of the District Musnif-cum-Judicial Magistrate, Vanur, on or before 21.08.2025.**

[b]If the petitioner fails to surrender before the concerned Magistrate, on or before 21.08.2025, this Order shall stand automatically cancelled;

[c] the sureties shall affix their photographs and Left Thumb



CrI.O.P.No.22302 of 2025

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;

[d] the petitioner shall report before the respondent police daily at 10.00 a.m, for a period of 30 days and thereafter, as and when required for interrogation;

[e]the petitioner shall co-operate with the investigation for completing the investigation.

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];**

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

12.08.2025

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CrI.O.P.No.22302 of 2025

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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 the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The District Munsif-cum-Judicial Magistrate, Vanur.
- 2.The Inspector of Police, Kiliyanur Police Station, Viluppuram District.
- 3.The Public Prosecutor, High Court of Madras.



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Crl.O.P.No.22302 of 2025

Dr.G.JAYACHANDRAN, J.
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Crl.O.P.No.22302 of 2025

12.08.2025