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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2025

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.24465 of 2025

Sekar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Kalambur Police Station,
Tiruvannamalai District
(Crime No.369 of 2025)

... Respondent

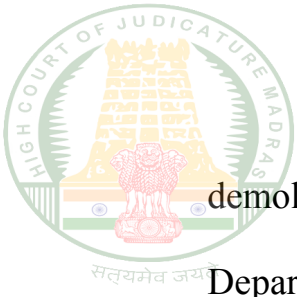
PRAYER: PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in Crime No.369 of 2025 on the file of the Respondent police.

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

ORDER

The petitioner, who apprehends arrest for the alleged offences punishable under Section 3 of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992, inn Cr.No.369 of 2025 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is alleged to have



demolished the compound wall of Well which belongs to the Highways Department, worth about Rs.6,00,000/-. Hence the case.

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3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the Well itself was closed and hence the compound wall is not necessary. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there was a compound wall around the Well and the petitioner has demolished the said wall which belongs to the High Ways Department. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Taking into consideration the facts and circumstances of this case



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and the submissions made by the learned counsel on either side and also taking note of the fact that the Well itself was closed and the petitioner is ready to abide by any stringent conditions that may be imposed by this Court, 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 on her executing a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with two sureties (**out of which, one must be a blood surety**) each for a like sum to the satisfaction of the **learned Judicial Magistrate, Arni, Tiruvannamalai District** and on further conditions 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 deposit a sum of **Rs.1,00,000/- (Rupees One Lakh only)** to the credit of Cr.No.369 of 2025 before the concerned Magistrate, within a period of two weeks from the date of receipt of a copy of this order. On such deposit, the defacto complainant is permitted to withdraw the same on filing undertaking affidavit and proper identification and acknowledgment.



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[c] The petitioner shall report before the respondent Police on every Tuesday and Saturday at 10.30 a.m., for a period of six weeks and thereafter, as and when required for interrogation ;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[f] 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]***;

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

12.09.2025

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 Judicial Magistrate, Arni,
Tiruvannamalai District.
2. The Inspector of Police,
Kalambur Police Station,
Tiruvannamalai District
3. The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI,J.

gv

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