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CRL OP NO. 25545 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 17-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR
CRL OP NO. 25545 of 2025

1.Anbu
2.Balu
3.Kannan
4.Chinnasamy
5.Jeeva

...Petitioner(s)

Vs

State Rep by its,
Sub -Inspector of Police,
Panamarathupatti PS,
Panamarathupatti.

....Respondent(s)

Criminal Original Petition filed under Section 482 of BNSS, Act, 2023 praying to enlarge the petitioners in the event of his arrest by the respondent police in pursuant to the FIR in Crime No. 176 of 2025 on the file of the respondent police.

For Petitioner(s): Kumar S

For Respondent(s): Mr.S.Udayakumar

Government Advocate [Criminal Side]

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 49 of BNS, 2023 and 3(1) of Tamil Nadu Public Property Prevention of Damages and Loss Act, 1992 in Crime No. 176 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners were



cutting down trees worth about Rs.55,000/- without permission from the officials of the Salem Municipality Corporation. Hence, the complaint.

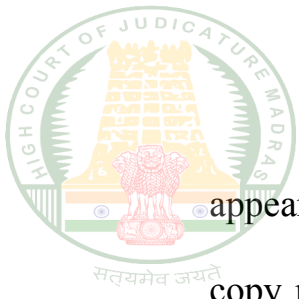
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3. The learned counsel for the petitioners submits that the petitioners are innocent persons and they have been falsely implicated in this case. He further submits that they have not committed any offence as alleged by the prosecution. He also submits that the petitioners are ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for their release. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that there is no previous case pending against the petitioners herein. 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, submissions made by learned counsels on either side, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their



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appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.I, Salem**, on condition that the petitioners shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty 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 petitioners 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;

[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 petitioners shall report before the respondent Police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required for interrogation;

[d] the petitioners are directed to deposit a sum of Rs.5,000/- each (Rupees Five Thousand Only) to the



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credit of Crime No. 176 of 2025 on the file of Judicial Magistrate No.I, Salem, within a period of one week from the date of receipt of a copy of this order.

[e] 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]**;

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

17.09.2025

MSM

To

- 1.The Judicial Magistrate No.I, Salem.
- 2.The Sub-Inspector of Police,
Panamarathupatti PS,
Panamarathupatti.
- 3.The Public Prosecutor, High Court of Madras.

K.RAJASEKAR, J.



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