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Crl.O.P.No.27770 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-10-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.27770 of 2025

1. Nanjappan
2. Chenniappan

... Petitioners/ Accused

Vs

The State Rep. By,
The Special Sub-Inspector of Police,
Velampalayam Police Station,
Tiruppur District.
(Crime No.502 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on anticipatory bail in the event of arrest by the respondent in Crime No.502 of 2025 on the file of the respondent police.

For Petitioners : Mr. Umapathi N.

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



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ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 329(3), 324(5) and 305(a) of BNS in Crime No.502 of 2025 on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant purchased residential Site Nos.6 and 7, however, the residential house was mistakenly constructed on Site No.5, which belongs to the petitioners herein; that subsequently after negotiation between the parties, the petitioners had agreed to sell Site No.5 to the defacto complainant and received an advance amount; that at a later point of time, the petitioners demolished the said building constructed by the defacto complainant and taken away the household articles, gold ornaments, furnitures and other valuables worth about Rs.1,42,00,000/-. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners were falsely implicated in this case; that the defacto



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complainant wantonly constructed a house in the residential site belongs to the petitioners; that the defacto complainant also suppressed material facts relating to earlier civil proceedings in O.S.No.95 of 2011 filed by the son and wife of the defacto complainant against the first petitioner for specific performance, which was dismissed for default on 21.01.2016 and subsequently the case in O.S.No.444 of 2017 filed by the wife of the defacto complainant seeking permanent injunction against the petitioners, which was also dismissed for default, thus defacto complainant failed in Civil Courts, now lodged a false and motivated criminal complaint against the petitioners, who are senior citizens. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court, hence sought for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioners reiterated the prosecution case and submitted that on account of previous enmity, the petitioners herein demolished the building of the defacto complainant and taken away the valuables, gold jewels, etc., worth about Rs.1,42,00,000/-; and that the investigation of this case is pending.



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K. RAJASEKAR, J.

stn

5. Considering the facts and circumstances of this case, allegation against the petitioners herein, which involves demolishing of building constructed by the defacto complainant and taken away valuables worth about Rs.1,42,00,000/- and taking note of the fact that the investigation is pending, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this criminal original petition stands dismissed.

13.10.2025

stn

To

1. The Special Sub-Inspector of Police,
Velampalayam Police Station,
Tiruppur District.
(Crime No.502 of 2025)
2. The Public Prosecutor,
High Court of Madras.

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