



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.28389 of 2025

- 1.Porithalai Chinnadi
- 2.Subramani
- 3.Arumugam
- 4.Sundaram
- 5.Andi
- 6.Palanisamy @ Palani
- 7.Kumar
S/o.Amuku @ Annamalai
- 8.Naduthambi
- 9.Venkatesan
- 10.Venkatesan
- 11.Munsif @ Murugesan
- 12.Gandhi @ Annamalai
- 13.Kumar
Velusami
- 14.Rajendran
- 15.Palanisamy
- 16.Sori @ Annamalai
- 17.Settukara Kumar @ Jeyakumar
- 18.Subramani
- 19.Kumar
S/o. Naduthambi



20.Senthil

21.Murugesan

22.Palani

23.Duraisamy

24.Kumar

S/o. Annamalai

25.Kumar

S/o.Subramani

... Petitioners

Versus

State Represented by
The Forest Range Officer,
Kalrayan Forest Range,
Karumanthurai,
Pethanaickenpalayam Taluk,
Salem District.
(Crime No.61 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to
enlarge the petitioner on bail in the event of arrest by the respondent police
in Crime No.61 of 2025 on the file of the respondent police.

For Petitioners : Mr.Anabaya Chozhan
For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER



The petitioners, who apprehends arrest by the respondent police for the offences punishable under Sections 21(a), (b), (d), (e)(f),(g),(i) Tamil Nadu Forest Act, r/w 2(15), 2(35) (29) (30) (32) of Wild Life Protection Act, r/w 3, 7, 55, 56, 59 Protection of National Conservation Act 2002, in Crime No.61 of 2025 seek anticipatory bail.

2. The allegation against the petitioners is that they trespassed into the land in Survey No.228, which is classified as reserve forest, with the intention of asserting possession and claiming rights over the said land. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are villagers and that they having rights over the land in Survey No.228, based on the order passed by the Settlement Tahsildar. He further submitted that total extent of land is 1000 acres, out of 400 acres were settled in favour of the villages and only the remaining portion is in favour of the Forest Department. Hence, he prayed for grant of anticipatory bail to the petitioner. Hence, he prayed for grant of anticipatory bail to the



petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the Survey No.228 continues to be classified as reserve forest and that no exclusive rights or enjoyment or any classified rights have been granted to the petitioners. He further submitted that though certain settlement documents were produced by the petitioners, those lands are different from the lands in which the petitioners allegedly set fire. Hence, opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

6. I have carefully considered the materials placed before this Court, including the photographs. Though the petitioners claim that the land in which the fire was set, does not fall within the reserve forest, the said claim is disputed by the respondent police, and the photographs reveal that the



petitioners have set fire an area that appears to be the forest land. At this stage, if the petitioners are granted anticipatory bail, there is a likelihood that they may involve themselves in similar activities. Hence, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the Criminal Original Petition is dismissed.

10.11.2025

drl

To

1. The Forest Range Officer,
Kalrayan Forest Range,
Karumanthurai,
Pethanaickenpalayam Taluk,
Salem District.

2. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

drl

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