



WEB COPY

CRL OP No. 28437 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 28437 of 2025

1. M Nandhakumar

2. Senthikumar

3. Saravanan

4. Muthukrishnan

5. Senthikumar

6. Jayakumar

7. Sathishkumar



WEB COPY

CRL OP No. 28437 of 2025



8. Sakthivel

Petitioner(s)

Vs

The State represented by its
Inspector of Police, Molasi Police
Station, Namakkal district (Crime
No.106/2025)

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of B.N.S.S., to
enlarge the Petitioners on anticipatory bail in the event of their arrest in Cr. No.
106 of 2025 pending on the file of Respondent of Police.

For Petitioner(s): Mr.Murali A

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

**ORDER**

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 132 and 351(3) of BNS, 2023, in Crime No.106 of 2025, seek anticipatory bail.

2.The case of the prosecution is that the petitioners, along with other accused, obstructed the pathway by dumping stones, preventing officials from constructing a Gasifier Crematorium on Government land and allegedly deterred public servants from performing their official duties, abused them using filthy language, and threatened them with dire consequences. Hence, the case.

3.The learned counsel for the petitioner submitted that already they have obtained interim injunction in their favour that the officials have not involved in laying road or altering the features in Survey No.81/1 of Molasi Village and he further submitted that since they have obtained injunction against the officials, they blocked them. Hence, he prayed for grant of anticipatory bail to the

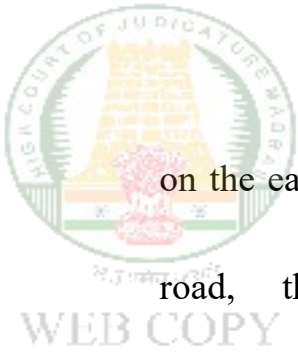


petitioner.

4.The learned Government Advocate (Criminal Side) reported that this petitioners having lands on both sides of the road leading to burial ground. It is a public road and knowing fully well that it is a road, they had come forward to seek injunction and filed a writ petition for the relief of mandamus that the respondent shall not interfere with the possession and enjoyment of the properties of the petitioners herein and it is situated in Survey No.81/1 in Molasi Village. However, it has been specifically admitted by the petitioner that there is a road, which runs on the eastern side of the property of the petitioners and suppressing the same, now they claimed that they are entitled for injuncting the defacto complainant.

5.I have also considered the submissions made on both sides and also perused the FIR.

6. It is revealed that the Block Development Officers and other officers have come forward to measure and survey the road which is admittedly situated



on the eastern side of the petitioners property. Having admitted that there is a road, they ought not to have indulged in preventing the officers from conducting the survey, and they shall not block the road by using stones. Similarly, if at all the petitioners are having any right in the land, they can only prevent the officers from entering into their land not into the public road.

7. Considering the manner in which the petitioners have behaved and threatened and also attempted to attack the officers who are doing the public duty, I am not inclined to grant anticipatory bail and if the anticipatory bail is granted they will indulge in similar activities, hence, this Criminal Original Petition is dismissed.

28-10-2025

gbi

Index:Yes/No

Speaking/Non-speaking order



Internet: Yes

Neutral Citation: Yes/No

WEB COPY

CRL OP No. 28437 of 2025





CRL OP No. 28437 of 2025



To

WEB COPY

- 1.The State represented by its
Inspector of Police, Molasi Police
Station, Namakkal district (Crime
No.106/2025)
- 2.The Public Prosecutor,
High Court of Madras.



WEB COPY

CRL OP No. 28437 of 2025



K.RAJASEKAR J.
gbi

**CRL OP No. 28437 of
2025**

28-10-2025