



Crl.O.P.No.28544 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.28544 of 2025

1.Sumithra
2.Sathish
3.Periyasami
4.Yuvaprasath

... Petitioners

Vs.

The State Rep. By,
The Inspector of Police,
Omerabad Police Station,
Thirupathur District.
Crime No.354 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.354 of 2025 on the file of the respondent police.

For petitioners : Mr.T.Muruganantham
For Respondent : Mr.S.Udayakumar,
Government Advocate (Criminal Side)



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ORDER

The petitioners herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2) and 351(2) of BNS [Sections 294, 323 and 506] and Section 3 of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, in Crime No.354 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that, due to a property dispute, the petitioners allegedly attacked the de facto complainant with deadly weapons and also used an earthmover to demolish the cowshed and other structures, causing damage to the extent of about Rs.15,000/-. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. He further submitted that the injuries sustained by the de facto complainant are simple in nature. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the



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respondent police opposed the grant of anticipatory bail, reiterating the prosecution case and submitted that there are totally four accused involved in this case. He further submitted that the investigation in this case is still pending.

5. Heard both sides and perused the materials available on record.

6. Considering the submissions made by the learned counsels on either side and the fact that the offence alleged is not grave in nature, and petitioners are not having bad antecedents, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:

7. Accordingly, the **petitioners each shall deposit a sum of Rs.4,000/- (Rupees Four Thousand Only) to the credit of Crime No.354 of 2025**, and on such deposit, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Ambur**, 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



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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 ten 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 two weeks, and thereafter as and when required for interrogation;

[d] 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 himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR



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can be registered under Section 269 of B.N.S.

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To

1.The Judicial Magistrate, Ambur .

2.The Inspector of Police,
Omerabad Police Station,
Thirupathur District.

3.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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