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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2025

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THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.28915 of 2025

1. Raji

2. Maniyan

3. Periyasamy

4. Kaliyan

5. Karuppamuthu

6. Allimuthu

7. Thamilkannan

... Petitioners

Vs.

The State Rep by the Inspector of Police,

Thalaivasal Police Station,

Salem District.

(Crime No.374 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 his arrest in Crime No.374 of 2025 on the file of the respondent police.

For Petitioners : Mr.V.Mohankumar

For Respondent : Mr.S.Udayakumar,

Government Advocate (Crl.side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 324(3) of BNS and under Section 3(1) of PPD, in Crime No.374 of 2025, on the file of the respondent Police, seek anticipatory bail.



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2. The case of the prosecution is that the petitioners under the guise of cleaning the land, by using a JCB machine uprooted as many trees of various kinds, thereby damaged the land. Hence the case.

3. The learned counsel for the petitioners would submit that the allegations are false; and they cleaned the land only on account of festival and that in any case, further custody is not required for the purpose of investigation. He would further submit that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police, would submit that the petitioners removed the trees in the Government land. He would further submit that there is no previous case pending against the petitioners.

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, also considering the fact that there is no previous case pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate II, Attur**, on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 fail 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 are directed to deposit a sum of **Rs.2,000/- (Rupees Two Thousand only)** each to the credit of the Crime No.374 of 2025 within a period of two weeks from the date of receipt of a copy of this order.



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K.RAJASEKAR, J.

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[d] 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;

[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 himself 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.

25.10.2025

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To

1. The Judicial Magistrate II, Attur.
2. The Inspector of Police,
Thalaivasal Police Station, Salem District.
3. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.28915 of 2025