



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 33817 of 2025

1. Thangammal

2. M Anandhayee

3. T Indirani

4. P Dhanapal

Petitioner(s)

Vs

State rep.by through, The Inspector of
Police,
Nangavalli Police Station, Salem
district. Cr.No.345/2025.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event
of their arrest in respect of Cr.No.345 of 2025 on the file of the Inspector of
Police, Nangavalli Police Station, Salem District pending investigation.

For Petitioner(s): M/S.B Kumarasamy



For Respondent(s): Mr.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 189(2), 296(b), 118(1), 351(3) of BNS 2023 & Section 3(1) of TNPPDL Act 1992, in Crime No.345 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The allegation against the petitioners is that the petitioners are ranked as A3, A5, A6 & A7 in this case, It is alleged that the petitioners joined hands with other accused, illegally trespassed into the property and damaged the fencing and other private structures. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that there is an existing property dispute between the parties and these petitioners had already filed a civil suit and the same is also pending. He further submitted that both parties are claiming possession and the alleged act of demolition is a false implication arising out of the civil dispute. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court. Hence, he prayed to grant anticipatory bail to the petitioners.



4. Learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that there are totally 8 accused in this case and the petitioners herein are ranked as A3, A5, A6 & A7. He further submitted that the petitioners caused damaged to the fence to the tune of Rs.63,644/- and that the petitioners have no previous case pending against him. He further submitted that the investigation in this case is pending. Hence, he opposed to grant anticipatory bail to the petitioner.

5. On perusal of the FIR and other connected materials, it is seen that the petitioners entered into the property and damaged the fencing to the tune of Rs.63,644/- and quarrel and attacked the defacto complainant.

6. Considering the submissions made by the learned counsel on either side, the petitioners are not having any previous cases and also the fact that the investigation in this case is pending, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) each to the credit of Crime Number 345 of 2025 and on such deposit and on receipt of proof, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the *learned Judicial Magistrate No.I, Mettur*, on condition that **the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees**



Twenty Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the 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)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

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To

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- 1.State rep.by through, The Inspector of Police,
Nangavalli Police Station, Salem
district. Cr.No.345/2025.
- 2.The judicial Magistrate No.1, Mettur.
- 3.The Public Prosecutor, High Court
of Madras.



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K.RAJASEKAR J.
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