



Crl.O.P.No.33621 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.33621 of 2025

1.M.Premkumar
2.C.Murugan
3.M.Unnamalai
4. Sangeetha

... Petitioners

Vs.

The State of Tamil Nadu
Rep by, the Inspector of Police,
Kariyalur Police Station,
Kallakurichi District.
Crime No.205 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.205 of 2025 on the file of the respondent police.

For Petitioner : Mr.Babu Varadharajan
For Respondent : M/s.J.R.Archana
Government Advocate (Crl. Side)



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ORDER

The petitioners herein apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 117(3), 324(2) and 351(3) of BNS, in Crime No.205 of 2025, on the file of the respondent Police, seek anticipatory bail.

2.The allegation against the petitioners is that the petitioners in collusion with other accused, attacked a Public Works Department Contractor, who was carrying out some development work on departmental instructions and petitioners also damaged the earthmover's windshield. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that earlier this Court vide order dated 13.10.2025 in W.P.No.38709 of 2025 directed to maintain the status quo regarding the land in dispute. Despite this, the officials allegedly interfered with the petitioner's land, hence, petitioners only protested the development work and they were not involved in abusing or attacking officials. Hence, he prays for grant of anticipatory bail to the



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petitioners.

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4.The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the Revision Petition has been filed before the competent authority to decide the removal of encroachment and further submitted that investigation in this case is still pending, hence, she opposed for grant of anticipatory bail to the petitioners.

5.Considering the nature of allegations and other circumstances of the case and since custodial interrogation of the petitioners are not necessary for the case of this nature, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6. Accordingly, 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 **District Munsif Court cum Judicial Magistrate, Kalvarayan Hills** on condition that each of the petitioners shall execute a separate 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



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condition that:

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[a] if the petitioners fails to surrender before the concerned Magistrate within a period of fifteen 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 one week 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



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

15.12.2025

gbi

To

1. The District Munsif Court cum Judicial Magistrate,
Kalvarayan Hills
- 2.The Inspector of Police,
Kariyalur Police Station,
Kallakurichi District.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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