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Crl.OP.No.34151 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.34151 of 2025

A.K.Muthumani

... Petitioner

Vs.

State by
The Inspector of Police,
Kottur Police Station,
Coimbatore District.
(Cr.No.350 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to release the petitioner on anticipatory bail in the event of his arrest by the respondent in Cr.No.350 of 2025 on the file of the Inspector of Police, Kottur Police Station, Coimbatore District pending investigation.

For Petitioner : Mr.Muthu Visakan

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

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 191(2), 191(3), 132, 224, 287 and 351(2) of BNSS, 2023 in Cr.No.350 of 2025, on the file of the respondent police. seeks anticipatory bail.



2. The case of the prosecution is that the defacto complainant is working as an Executive Officer of Kottur Special Grade Panchayat, Coimbatore District. On 25.11.2025 at about 02.45 p.m., when the defacto complainant was in her office, the petitioner along with others came to her office and demanded immediate action against an illegally constructed godown put up by one Rajendran for storing marriage decoration materials in a residential area. It is further alleged that the petitioner and others prevented the defacto complainant from taking photographs and from performing her official duties, and that A1 threatened to commit suicide by pouring petrol on himself, which led to the registration of the FIR. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is a farmer owning agricultural land, wherein he cultivates coconut trees and also maintains a fish tank. Adjacent to his property, the local Panchayat has been dumping waste materials, including chemical substances, resulting in pollution of the land and water resources. This pollution has directly affected the petitioner's agricultural land and fish tank. Consequently, the petitioner filed a civil suit and obtained an order of injunction against the defacto complainant and the Panchayat President. Due to the same, the defacto complainant developed personal animosity towards



the petitioner. He further submitted that the petitioner is ready and willing to cooperate with the investigation and hence prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and fairly admitted that the petitioner had filed a civil suit and obtained an injunction order against the defacto complainant and the Panchayat President. He submitted that the defacto complainant, being an Executive Officer, was prevented from taking photographs and from performing her official duties, and that A1 threatened to commit suicide by pouring petrol on himself. He further submitted that the co-accused was enlarged on bail by this Court vide order dated 05.12.2025 in Crl.O.P.No.33316 of 2025. However, he opposed the grant of anticipatory bail to the petitioner.

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

6. Taking all the factors into consideration, and considering the fact that the co-accused has already been enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance within a period of fifteen (15) days from



the date on which the order copy made, before the learned **Judicial Magistrate-II, Pollachi** on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two **sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) 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 identify proofs to ensure their identity;

(c) **The petitioner 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;**

(d) The petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) The petitioner shall not abscond either during investigation or trial:

(f) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if



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the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(g) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

15.12.2025

Vv

To

1. The Judicial Magistrate-II, Pollachi
2. The Inspector of Police,
Kottur Police Station,
Coimbatore District.
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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