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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.12.2025

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THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.35427 of 2025

Muttaikumar @ Kumar

... Petitioner

Vs.

State represented by
The Inspector of Police,
Vettaikaraniruppu Police Station,
Nagapattinam District.
(Crime No.304 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., 2023 to enlarge the petitioner on bail in Crime No.304 of 2025 on the file of the respondent police.

For Petitioner : Mr.T.Gokulakrishnan
For Respondent : Mr.S.Vinothkumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.11.2025, for the alleged offences punishable under Sections 326(g) of BNS, 2023 in Crime No.304 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, on 03.11.2025, in connection with a dispute pertaining to land, the petitioner is stated to have unlawfully

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trespassed into the hutment of the defacto complainant, set the said premises ablaze, and consequently caused damage to the household articles and other properties, which are alleged to have been valued at about Rs.2,00,000/-. Hence, the present case came to be registered.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in the present case. He would further submit that the petitioner has not committed any of the offences as alleged in the First Information Report. It is submitted that that the petitioner was arrested and has been in judicial custody for more than 45 days. The petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there are five previous cases registered against the petitioner, which, according to him, have already been disposed of. In the light of the said antecedents, he vehemently opposed to grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.



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6. Considering the rival submissions made on either side, there is a property dispute between the parties, the fact that no previous cases are presently pending against the petitioner, and taking into account the period of his incarceration since 12.11.2025, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of **the District Munsif Cum Judicial Magistrate Court, Vedaranyam**, and on further conditions that:-

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;



[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

26.12.2025

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

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1. The District Munsif Cum Judicial Magistrate Court,
Vedaranyam.

2. The Inspector of Police,
Vettaikaraniruppu Police Station,
Nagapattinam District.

3. The Superintendent,
Sub Jail, Nagapattinam.

4. The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.



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