



CRL OP(MD). No. 4776 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.10.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No. 4776 of 2025

1. Rajendran

2. Kuzhanthai Velu

3. Palanisamy @ Mottai Palani

4. Ponram

... Petitioners/ Accused

Vs

The State of Tamil Nadu,
The Inspector of Police,
Devathanapatti Police Station,
Theni District.
(Crime No.61 of 2025)

... Respondent/Complainant

For Petitioners : Mr.Periyarvendhan. P

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl. Side)

For Intervenor : Mr. R.G.Shankar Ganesh



CRL OP(MD). No. 4776 of 2025

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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PRAYER :-

For Anticipatory Bail in Cr.No.61 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 329(4), 324(4), 353(3), 316(2), 318(4) of BNS Act in Crime No. 61 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the petitioners trespassed into the defacto complainant's area and erected a new Amman statue without permission. They also collected money from the public as offerings and thereby cheated the public. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory



CRL OP(MD). No. 4776 of 2025

bail to the petitioners.

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4. The learned Government Advocate (Crl. Side) appearing for the respondent Police submits that the allegation against the petitioners is that they altered the physical features of the temple and removed the existing idol, replacing it with another one.

5. According to the intervenor, the ancestors of the intervenor had established the temple. However, as of now, the intervenor has not obtained any declaration that the temple is a private temple, and it is presently managed by the HR & CE Department. Based on the intervenor's complaint, the HR & CE Department initiated proceedings against the petitioner and also lodged a police complaint. Hence, the present FIR was registered against the petitioners.

6. Taking into consideration of the facts and circumstances of the case and also considering the nature of allegation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



CRL OP(MD). No. 4776 of 2025

7. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Periyakulam, Theni District, on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners and 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 until further orders. They have to co-operate for the investigation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during



CRL OP(MD). No. 4776 of 2025

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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]*; and;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS 2023.

(S S Y J)
22.10.2025

jbr

To

1. The Judicial Magistrate,
Periyakulam, Theni District.
2. The Inspector of Police,
Devathanapatti Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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CRL OP(MD). No. 4776 of 2025

S.SRIMATHY,J.

jbr

ORDER
IN
CRL OP(MD) No.4776 of 2025

Date : 22.10.2025